

Recommendation Report for Planning Permission

REF NO: LU/252/15/PL

LOCATION: 118 Wick Street & 120 Wick Street
Littlehampton

PROPOSAL: Erection of 4No. dwellings with access from Beaconsfield Road. Resubmission of LU/184/15/PL

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to two 2 storey infill dwellings on the Wick Street frontage either side of the existing police houses and a pair of two storey dwellings to the rear adjacent to Beaconsfield Road. The dwellings comprise four, 3 bedroom dwellings.
SITE AREA	1330 sq metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	30 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Frontage hedging to 3m height. Side to No. 116 1m high flint wall. Fencing to other side. Rear 0.8m high flint wall with hedging/fencing above to 2m approx
SITE CHARACTERISTICS	2 storey traditional style semi-detached dwelling. Plain clay tile pitched roofs. Red brick elevations. No. 116 has no windows in side elevation. Other side has first floor window facing onto application site. Rear parking off Beaconsfield Road. Site has recently been cleared and site split by internal fencing
CHARACTER OF LOCALITY	Predominantly residential. Retail opposite. Wick Street comprises mainly two storey terraced properties. Terrace of two storey properties on corner of Gladstone Terrace.

RELEVANT SITE HISTORY

LU/354/11/	Redevelopment of the site comprising the conversion and extension of the existing	Withdrawn
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	semi-detached dwellings and the erection of a new building to provide a total of 13No. flats, together with associated parking and landscaping.	03-02-2012
LU/59/12/	Redevelopment of the site comprising the conversion and extension of the existing semi-detached dwellings to provide a total of 13no. flats, together with associated parking and landscaping. Re-submission following LU/354/11.	Approved Cond + S106 26-07-2012
LU/184/15/PL	Erection of 5 No. dwellings with access from Beaconsfield Road,	Withdrawn 23-07-2015

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection - Inadequate car parking provision for the number of properties, overdevelopment of the site and too 'squeezed' into the street scene, the development to the rear of the properties would be too impactful on the very constrained highways arrangements on Beaconsfield Road, emergency vehicles would be unable to access the properties during the evening and night time from Beaconsfield Road.

One letter of support - The elevation is set back from the building line established by the flank wall of 3 Gladstone Terrace to the south. It also aligns with the modern terrace of 4 properties to the north. The materials would match exiting and the car parking meets the requirements. The proposal is more in keeping than the extant permission.

Comments on Representations received:

County Highways have no objection to the proposal in terms of highway safety.

Neither of the developments to the north or south of the site abut the site. The properties to the north front Beaconsfield Road and have longer length plots so are not readily comparable. The extant permission did not include 2 storey development in the position proposed.

CONSULTATIONS

WSCC Strategic Planning
Engineering Services Manager
Engineers (Fluvial Flooding)

Consultations responses received:

Engineers -Soakaways are proposed for surface water drainage.

Suggest standard conditions ENGD2A is applied.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that

location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. West Sussex County Council (WSCC) was consulted previously on Highway Matters for this location under planning application no. LU/184/15 for the erection of 5 dwellings with access on to Beaconsfield Road and LU/59/12 which related to the construction of 13 flats on the site, to which no objections were raised to both.

WSCC have now been consulted on an application for the erection of 4 dwellings comprising of 3 bedrooms.

Site access is from Beaconsfield Road; a narrow residential street with a carriageway width that restricts movements to one-way flow. This acts as a natural traffic calming feature making it difficult to achieve higher speeds. Vehicles are restricted from accessing Beaconsfield Road from the North by way of signed 'No Entry'.

As part of the redevelopment of the site a new access will be created to provide a parking court for 8 vehicles. This is in accordance with West Sussex County Councils Parking Calculator. Although tight, there is sufficient turning space for vehicles to enter and exit Beaconsfield Road in forward gear.

Visibility splays will be similar to the previously consulted developments which were not in accordance with Manual for Streets guidance which recommends visibility in-line with desirable 'Speed Stopping Distances'. However, it is clear from observing the road that vehicles speeds are particularly low and that the achievable visibility splay of 23m to the south would be sufficient. Movements from the north will be very infrequent given the restrictions in place. The road is unlikely to attract through movements and residents will expect the emergence of vehicles from properties along the length of Beaconsfield Road.

Consideration should be given to the access of construction vehicles given the constrained nature of the access road. The Highway Authority would recommend that a Construction Management Plan is sought via condition, providing detail on the size of vehicle used, swept path diagrams to demonstrate adequate access and any proposed mitigation measures.

The site is situated within a sustainable location with good access to public transport links. Cycle stores are located in each garden with space for 2 bicycles per dwelling, which accords with West Sussex County Councils parking standards.

The provision of 4 residential dwellings would represent a modest increase in traffic generation and would not result in a material impact on Highway capacity.

The Highway Authority raises no objection to the proposed development and would recommend the following conditions;

Access

No development of the site shall commence until the vehicular access serving the proposed dwelling has been constructed in accordance with the approved planning drawing.

Reason - In the interests of road safety.

Construction plant and materials.

No works shall be carried out on site unless provision is available within the site (or other adjacent land within the applicants control) in accordance with details approved by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site.

Reason - To avoid undue congestion of the site and consequent obstruction to the highway.

Construction Management Plan

No development shall commence until a construction management plan has been submitted to, and approved by, the local planning authority. Thereafter the agreed plan shall be implemented and adhered to throughout the period of construction associated with the development.

Reason - In the interests of road safety.

Cycle parking

No dwelling, hereby approved, shall be not occupied until covered secure cycle parking spaces have been provided in accordance with a detailed construction plan to be submitted to and approved by the planning authority.

Reason - To provide alternative travel options to the use of the car.

Vehicle parking and turning

The dwelling, hereby approved, shall not be occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason - To provide adequate on-site car parking and turning space for the dwelling.

Visibility

No development shall be commenced until visibility splays of 2.4 metres by 23 metres to the south have been provided at the centre of the proposed site vehicular access onto Beaconsfield Road . These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

Reason - In the interests of road safety.

Informative

The applicant is advised to contact the Community Highways Officer covering the respective area (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

Comments on Consultation responses:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7
GEN12

[Publication Version of the Local Plan \(October 2014\):](#)

The Form of New Development
Parking in New Development

D DM1 Aspects of Form and Design
Quality

D DM2 Internal Space Standards
D DM3 External Space Standards
D SP1 Design
H SP2 Affordable Housing

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX6 Interim Affordable Housing Policy

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. There are no specific policies in Littlehampton Neighbourhood Plan relating to this type of development.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site lies within the built-up area boundary where the provision of residential units is acceptable in principle subject to usual development control criteria being met.

PLANNING HISTORY:

This proposal follows an earlier scheme for 13 units in the form of extensions to the property. The second floor accommodation was in the roof. There were no separate outbuildings other than a bin and cycle store. The height of the extensions did not significantly exceed the existing 2 storey dwellings. This proposal includes residential development to the rear, 7m from the Beaconsfield Road frontage.

VISUAL AMENITY AND CHARACTER:

The site lies on the east side of Wick Street and currently comprises a pair of semi-detached 2 storey dwellings which are former police houses. One of the dwellings has four bedrooms, the other three bedrooms. The proposal retains the existing buildings and includes development to the sides and rear. The gardens serving the existing properties would be narrowed and shortened. A dwelling to the north side of 120 Wick Street has previously been approved (LU/305/14/PL) in a position that was set back further from the site frontage and with garden that extended to the Beaconsfield Road frontage.

The area is predominantly residential in character and whilst the adjoining properties are mainly single dwelling houses the residential nature of the proposal would be in keeping.

The dwellings to the sides of the properties are acceptable in principle. The area is characterised by mainly terraced dwellings and in terms of visual amenity this infilling would therefore be appropriate provided the curtilage sizes are comparable with adjacent properties. A gap of 1.1m is retained to the southern boundary which will provide some visual separation.

The rear of the site currently serves as garden area to both properties. The provision of dwellings in this location would be an alien feature in the street scene which would be out of keeping with the pattern of development in the locality. The properties would not front onto the site frontage, Beaconsfield Road but would face onto the parking area to the side. The bland side end elevation

would not relate well with the street scene. The development would be out of keeping with the properties adjoining the site to the south and north which front Wick Street and have long rear gardens with some single storey ancillary structures adjacent to the road frontage. In addition the properties would be uncharacteristically close to the site frontage, this combined with their footprint and limited curtilage size would result in a prominent and obtrusive form of development that is damaging to the visual amenities of the locality. At present the only structures in this part of Beaconsfield Road close to the road frontage are single storey detached garages which are not visually apparent.

RESIDENTIAL AMENITY:

The proposed dwellings do not project significantly beyond the rear of properties in Wick Street and the dwellings to the rear would be sited adequate distances from adjacent dwellings to preclude an adverse impact on residential amenity resulting from overbearing impacts. The development to the rear is centrally sited which minimises the extent of the development across each rear garden reducing the overbearing effects on the 2 existing host properties.

There are no windows proposed in the west wall of the dwellings to the rear so a loss of privacy would not result to 118 and 120 Wick Street and the distances to both northern and southern side boundaries are at least 10m which is generally accepted as an adequate distance to preclude adverse overlooking to adjoining garden areas.

COMPLIANCE WITH SPACE STANDARDS

The Emerging Local Plan contains policies DDM2 internal space standards and DDM3 external space standards. Although the Council is currently applying the internal space standards in the Government's Technical Housing Standards dated March 2015 which are slightly less onerous. These require 2 storey 3 bed 4 person houses to have 84 sq m internal floor areas. Only house 'B' with an area of 97.2 sqm accords with this requirement. The other dwellings do not comply, but are only marginally below having areas of 82 and 83sqm per dwelling.

The proposal does not meet the external space standards in that whilst the existing garden lengths are 10m and above in length, the garden areas of 3 of the dwellings are slightly below the 85sqm standard for a 3 bedroom detached/semi detached house. In addition the garden area left to serve the existing 4 bedroom dwelling is below the 100sqm for a 4bed house. This is indicative of overdevelopment.

CAR PARKING:

The proposed development will have a shared access from Beaconsfield Road. 8 car parking spaces are provided within a courtyard area to the rear of the site. Dedicated and secure cycle stores are included. These parking facilities meet the West Sussex County Council's Parking calculation requirements.

The site is sustainably located being located 60m from a bus stop and 1.5km from Littlehampton Station.

CONCLUSION:

The application is recommended for refusal for the following reason

HUMAN RIGHTS ACT

Human Rights Act:

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (the right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal neutral impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

SECTION 106 DETAILS

The proposal generates a need for affordable housing contributions of £7,504 and no Agreement has been submitted with the proposal. The proposal is therefore contrary to the Council's Interim Affordable Housing policy

RECOMMENDATION

REFUSE

- 1 The site by virtue of its size and shape, is considered unsuitable to accommodate 4 dwellings and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an unduly cramped form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to policy GEN7 of the Arun District Local Plan and policies DDM3 and DDM1 of the Emerging Local Plan.
- 2 The proposed development fails to make an adequate contribution towards affordable housing provision and is thereby contrary to the aims and objectives of the Council's interim affordable housing policy adopted on 18 August 2010 and policy HSP2 of the Emerging Local Plan.
- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However,

the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.