

Recommendation Report for Planning Permission**REF NO:** LU/255/15/PL**LOCATION:** Land adjacent to
120 Wick Street
Littlehampton**PROPOSAL:** Revised new dwelling from three storeys to two storeys with revised access & parking from Beaconsfield Road (amendment to LU/305/14/PL).**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The 2 storey dwelling comprises 3 bedrooms with a floor area of approx 9m by 4m. The eaves and ridge height are comparable with adjacent properties. The application includes 2 car parking spaces and a turning area and a bin/cycle store in the rear garden.
SITE AREA	346 sq m
RESIDENTIAL DEVELOPMENT DENSITY (NET)	29 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of significance affected by the development.
BOUNDARY TREATMENT	Bushes/fencing to side. Walling/hedging to front 1-2m. Rear bushes to approx. 2m
SITE CHARACTERISTICS	Side garden to 120 Wick Street which has brick elevations and a plain tile roof.
CHARACTER OF LOCALITY	Predominantly residential with a mix of dwelling types, mainly terraced and 2 semi-detached. Retail opposite.

RELEVANT SITE HISTORY

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/305/14/PL	Erection of 1 No 3 Bedroom detached house with detached garage & off-street parking to rear.	ApproveConditionally 17-12-2014
LU/184/15/PL	Erection of 5 No. dwellings with access from	Withdrawn

Beaconsfield Road,

23-07-2015

LU/253/15/PL

1No. dwelling house south of existing house,
with shared parking compound & vehicular
access from Beaconsfield Road

Refused
30-09-2015

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection - Lack of parking provision

4 letters of objection - Too many cars parked in the road already. 4 cars will be displaced by the access. Where will they park? Is the wall on the road frontage listed? Would the builder cut a hole in the wall to allow access to garages? Dwelling could generate a requirement for more than 2 cars. Why can't access be gained from Wick Street? An asbestos garage has been removed from site and did not see a registered contractor for the removal. Road is very narrow and will not cope with lorries coming back and forth. Small school at the bottom of road which will be dangerous. Builders have already started being rude and awkward. Builder has driven into a pole in the hope of gaining better access. They shouldn't be burning on site. Rubbish should be disposed of properly.

Comments on Representations received:

County Highways have no objection in terms of highway safety. The amended scheme indicates 2 parking spaces to serve the dwelling. Disposal of waste and asbestos is not a planning matter. The wall to the front is not listed.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways - consulted previously on Highway Matters for this location (LU/305/14) to which no objections were raised.

The application seeks amendments to the previously approved application, more specifically the access and parking.

It is proposed to use the access and parking arrangements proposed under LU/252/15, which raised no objections from WSCC. This would result in 5 x 3 bedroom dwellings using the private unallocated car park. This would meet WSCC recommended standards of car parking for dwellings of this size in this area.

The site is within a sustainable location with good access to public transport links. Like the adjacent application site, a provision of secure and covered cycle parking capable of holding up to 2 cycles will be provided to mitigate the need for private parking.

Based on these and previous comments no concerns would be raised to this amendment from a highways perspective. It is advised that conditions secured through LU/252/15 be applied to this dwelling.

Comments on Consultation responses:

Comments noted. The County Highways comments relate to earlier substitute plans which included a parking compound to serve 4 properties which has subsequently been deleted. It is not considered that County Highways would object to the amended scheme since it provides 2 off street car parking spaces to serve the development and a turning area. They raised no objection to the same parking provision under permission LU/305/14/PL.

POLICY CONTEXT

Designation applicable to site:
Class A road
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 comply with relevant Development Plan policies in that it would not have a materially adverse effect on residential amenity, the visual amenities of the locality or an adverse impact 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 AND BACKGROUND

The site lies within the built-up area boundary where residential development is acceptable in principle subject to development control criteria being met. A previous application for a 2 and a half storey dwelling was approved last year under reference LU/305/14/PL.

VISUAL AMENITY AND CHARACTER OF THE AREA

The area is predominantly residential with adjoining properties mainly single dwellings. The provision of a single detached unit would not reflect the terraced and semi detached nature of the immediate neighbours, but given the limited space to both boundaries the proposal would appear to link the existing semi detached properties and would not appear out of place in the street scene. A detached dwelling has been granted permission in this location. The 2 storey height would reflect the height and scale of adjacent development.

The dwelling would fill the gap to the side of the existing property, but the area is characterised by

mainly terraced dwellings and in terms of visual amenity this infilling would be appropriate. Earlier approval for extension and conversion of 120 and 118 Wick Street to create 13 flats (LU/59/12) included development within this gap in the street scene.

The plot size is in keeping with other properties in this part of Wick Street and car parking to the rear accords with the general pattern of development. The rear garden accords with the adopted external space standards.

RESIDENTIAL AMENITY

The dwelling would be positioned in line with the front of 120 Wick Street and would project 2m beyond its rear elevation. The rearward projection would be similar to the dwelling to the north. It is not considered this projection would adversely affect the residential amenities of the host dwelling given the distance between the properties. There would be a 1m gap between properties. Windows in the side elevations of the adjoining properties are secondary.

The proposal has no first floor windows facing adjacent properties. There would be no material loss of privacy resulting from the proposal.

The proposal accords with national internal space standards. The gross internal floor area is 85sqm and the standards require 84sqm for a 3 bedroom 4 person house. The external area complies with standards in emerging policy DDM3.

HIGHWAY ISSUES

The proposal includes 2 off street parking spaces to the rear accessed from Beaconsfield Road. County highways previously raised no objection to the provision of 2 parking spaces in this location to serve the dwelling approved under LU/305/14/PL. The application includes turning facilities on site. Previously cars would reverse onto the road. The rear gardens of many properties in the area are used for parking.

CONCLUSION

The application is therefore recommended for approval subject to the following conditions

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 approval 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 application is subject to the original 106 Agreement which was signed under LU/305/14/PL. This relates to the permission as varied or approved over time

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans HA-120W-33 revision B, HA-120W-34 and HA-120W-37.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The buildings shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The building hereby permitted shall not be occupied until provision for cycle parking has

been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of cycles in accordance with policy GEN7 of the Arun District Local Plan.

- 6 No windows shall be constructed at first floor level or above in the south or north elevation of the extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 7 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers and maintain adequate amenity space in accordance with policy GEN7 of the Arun District Local Plan.

- 8 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 9 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to affordable housing.

- 10 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.