

Recommendation Report for Planning Permission

REF NO: LU/2/20/PL

LOCATION: 51 Falkland Avenue
Littlehampton
BN17 6AB

PROPOSAL: Conversion of house into 2 No. Self contained flats

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for the conversion of the dwelling into 2 No. self contained flats.
	Amended plans were received on 25th February 2020 which changed the proposal from 'the conversion of the dwelling into 3 No. self contained flats' to 'the conversion of the house into 2 No. self contained flats'.
SITE AREA	255 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	78 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary has a driveway access on its southern end and fencing and mature 2m high hedging north of the access. The southern boundary consists of fencing and hedging of approx. 3m in height.
SITE CHARACTERISTICS	The site is occupied by a semi-detached house on a corner plot.
CHARACTER OF LOCALITY	The area is predominantly residential with houses of a similar design and style.

RELEVANT SITE HISTORY

LU/113/18/HH	Two storey side extension	ApproveConditionally 04-07-18
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Parish Council- Object to the proposal. This planning application was considered by the Town Council's Planning and Transportation Committee at its meeting held on Monday 3rd February 2020 and object to the application on the grounds that the development was deficient in terms of the size and does not accord with the Nationally Described Space Standards (Local Plan Policy D DM1- Internal Space Standards)

Following the submission of amended plans and a change in the proposal from 3 to 2 units, Parish Council were re-consulted. Parish Council now have, as of 29th April, no objections to the proposal.

1 Letter of representation has been received, as an objection to the proposal. The reason for objection is: The proposed sizes of the units only accord with a one person occupation according to the national size standards. The size standards for a one bed 2 person flat on one level is 50 sqm and on two levels is 58 sqm. The road is predominately family housing, as originally designed.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. Environmental health conditions are not able to be imposed as they are either not necessary given the limited level of development that is proposed or is addressed by other legislation.

CONSULTATIONS

Environmental Health

WSCC Strategic Planning

Conservation Officer

Engineers (Drainage)

Engineering Services Manager

WSCC Strategic Planning

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

WSCC Highways- No objections. The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. A number of conditions are recommended should permission be granted

ENVIRONMENTAL HEALTH- No objection but recommend a number of conditions should permission be granted.

ARUN DISTRICT COUNCIL DRAINAGE ENGINEER- No objections. According to mapping there may be a public sewer running through the rear garden. Consider consulting Southern Water. However, due to the scale, location and type of application drainage have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations.

SOUTHERN WATER- No objections but the exact position of the public sewer must be determined on site by the applicant before the layout of the proposed development is finalised. This can be dealt with by conditions should permission be granted.

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Littlehampton has a 'made' neighbourhood plan with policies 1 and 2 considered relevant to the determination of the application.

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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have 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

The proposed conversion of the existing dwellinghouse (bearing in mind the recent permission for a two storey side extension in 2018) into 2No. self contained 2 bed apartments is considered to be acceptable in principle given the siting of the existing dwelling within the built-up area boundary, however this is subject to compliance with relevant development plan policies.

In this case the key policies considered are DDM1 and DDM2 of the Arun District Local Plan, policies 1 and 2 of the Littlehampton Neighbourhood Plan and the National Planning policy Framework.

DESIGN AND VISUAL AMENITY

Policy D SP1 of the Arun Local Plan requires development proposals to have derived from a thorough site analysis and context appraisal. Policy D DM1 of the Arun Local Plan requires development proposals to have regard to character, appearance/attractiveness, density and scale.

There are no fenestration changes proposed and therefore there is no impact upon the visual amenity of the locality.

The proposal is considered to accord with design policies D SP1 and D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Policy QE SP1 and D DM1 of the Arun Local Plan requires development to not have a significantly negative impact upon residential amenity.

In terms of residential amenity for any future occupants of the proposed units, this would also be acceptable with the existing amenity space at the front and rear to be used communally. This provides amenity space to a level which is comparable with that of other residential properties within the locality.

There are no unneighbourly impacts on neighbouring residents given the absence of fenestration changes.

The proposal therefore complies with Policy QE SP1 and D DM1 of the Arun Local Plan

COMPLIANCE WITH INTERNAL SPACE STANDARDS

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. Apartments are classed here as 1 storey dwellings in terms of space standards. 2 bed apartments must exceed 61 sqm for 3 people.

From the floor plans submitted with the application both 2 bed apartments would satisfy the space requirements for 3 people

The proposal therefore complies with policy D DM2 of the Arun Local Plan.

HIGHWAYS

Paragraph 108 of the NPPF states that in assessing specific applications for development it should be ensured that (b) safe and suitable access to the site can be achieved for all users. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T SP1 of the Arun Local Plan requires development proposals to incorporate appropriate levels of parking in line with ADC standards which require 2 spaces per unit. 4 on site spaces are provided.

SUMMARY

For the reasons set out above it is considered that the proposal accords with Development Plan policy and permission is therefore recommended subject to the following conditions.

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 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval 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 the following 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).

The proposal would have a neutral impact on the protected characteristics.

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:

First Floor plan as proposed 04A
Ground Floor Plan as proposed 03B
Block plan 160B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 3 No part of the development shall be first occupied until the access have been constructed in accordance with the approved 'Ground Floor as Proposed' plan numbered '160/03' Rev B.

Reason: In the interests of road safety.
- 4 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved 'Ground Floor as Proposed' plan numbered '160/03' Rev B. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use
- 5 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved 'Ground Floor as Proposed' plan numbered '160/03' Rev B.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
- 6 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 7 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737555.
- 8 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f-or-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>
- 9 A formal application for connection to the public sewerage system is required in order to

service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 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.