

Recommendation Report for Planning Permission

REF NO:	LU/331/21/PL
LOCATION:	2 Croft Cottages Pier Road Littlehampton BN17 5LS
PROPOSAL:	Variation of condition approved under LU/159/19/PL relating to condition 2-plans condition.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to vary the approval for a new maisonette over parking area, which included alterations to the rear fenestration, in order to improve accommodation heights and flood risk. The previous permission included provision of a new single dwelling by providing a two and a half storey addition to the southern end of a pair of semi-detached dwellings fronting Pier Road. The ground floor comprised 2 garages. This proposal increases the ridge height of the roof by 0.9m and provides the rear dormer as one unit with 3 openings, rather than 3 separate dormers. This has provided more room within the bedrooms and bathroom.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Combination of low brick wall and fencing to the front elevation to a height of approx. 1.8m. Slightly higher fencing to the side and rear boundaries.
SITE CHARACTERISTICS	The site is currently an area of hard standing to the side of the existing property. There is a gate to the front that allows for the parking of a single vehicle.
CHARACTER OF LOCALITY	The area is predominantly residential. However, there are also a number of ground floor commercial uses and a large builders merchants to the rear of the site.

RELEVANT SITE HISTORY

LU/159/19/PL	New maisonette over parking area, extend crossover & alterations to rear fenestration.	ApproveConditionally 30-08-19
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REPRESENTATIONS

Littlehampton Town Council - No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Environment Agency - Awaited

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area
Flood Zone 3a

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk

[Ferring Neighbourhood Plan 2014 Policy 10](#)

Sustainable water management

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

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.

Policies within the Littlehampton Neighbourhood Plan have been taken into account in reaching this decision.

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 there would be no materially adverse impact on visual or residential amenity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The principle of the development has been agreed. It is only the issues relating to the amended plans which can be considered. The application proposes to increase the height of the approved extended building to provide more head height and space at first floor. All other parts of the proposal are as agreed previously under planning permission LU159/19/PL. The ground floor is given over to parking for the existing property to the north (one space) and the proposed property (one space with cycle parking and a front door access to the first floor) so considerations with respect to parking and flooding are not altered. The number of bedrooms is not increasing as a result of the proposal.

CHARACTER

The existing pair of semi-detached dwellings sit in an isolated position within the street with no other buildings immediately adjoining the site. Buildings on the opposite side of Pier Road are of a significantly greater scale and the application proposals would not be out of character with the scale of building in the area. The slight additional increase in ridge height will not be overly prominent in the street scene and there is no necessity to repeat the built form adjoining in an area of mixed character.

Part J of Arun Design Guide refers to dormer windows and states over dominant dormer compositions should be avoided by ensuring that designs are a minor incident in the roof plane and sympathetic to the existing or original building materials, are located symmetrically and centrally on a roof, without being

overly dominant or out of proportion and/or style to the original structure, are not located close to verges or hips and have gabled or flat lead roofs, do not damage the original character and appearance of the building and its surrounding area and minimise interference to the original form, appearance and fabric of the original built structure.

The proposal complies with this guidance in that the dormer window is centrally located and set in from the edge and ridge of the roof. The change to one continuous dormer on the rear whilst larger than approved, would not be readily visible in the street scene and would not dominate the roof form.

The materials of the dormers were not previously conditioned. This proposal increases the size of the dormer feature and it would be reasonable to impose a condition requiring submission of details at this stage as the dormer would be larger and more visible as a result of the proposed changes.

The proposal is therefore compliant with policies D DM1 and D SP1 of Arun Local Plan.

RESIDENTIAL AMENITY

Due to the proposed orientation immediately to the south of the existing gable end, there will be no unacceptable impacts on the existing properties to the north by the 0.9m increase in height of the ridge or increase in size of the dormers. The windows are still serving the same rooms as approved. Commercial use adjoins the site to the rear.

The proposed dwelling will only benefit from a small rear amenity area. However, this was considered to be acceptable for a small dwelling in a town centre location with lots of public open space within close proximity of the dwelling and remains unaltered.

The proposal would improve the internal floor space and head heights available to occupiers and would therefore provide a better living environment for future occupiers. Since internal floor areas were previously considered acceptable this could not be considered to be unacceptable now. The proposal therefore remains compliant with policy D DM1 and D DM2 (nationally prescribed space standards) of Arun Local Plan.

HIGHWAYS & PARKING

The proposed 2 bed dwelling will benefit from one off street car parking space and the existing adjoining property will be provided with one car parking space. As a town centre location, this is considered to be acceptable. There are comprehensive parking restrictions in the immediate area to prevent unacceptable on-street parking and the County Council previously confirmed that there is adequate visibility. The amount of parking is unaltered from the previous approval as is the number of bedrooms which was compliant with policy T SP1 of Arun Local Plan and pre dated Arun's Parking Standards. The proposal is therefore unaltered and is acceptable in terms of parking and access.

OTHER MATTERS

Environmental Health previously raised no objections subject to the imposition of conditions in respect of internal noise levels and ground conditions. Also, the Environment Agency previously confirmed that they have no objections subject to measures within the FRA being implemented. These were conditioned in the previous application and would remain relevant and enforceable as this proposal only seeks approval to amend the plans condition. The other matters and conditions remain as previously approved.

SUMMARY

The proposals do not result in a form of development that will be significantly out of character with the area. As a result, they are considered to be acceptable when assessed against the relevant development plan policies. The application is therefore recommended for approval 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
19023 - 101A Location & Block Plan
19023 - 401C Proposed Floor Plans
19023 - 502A Proposed Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 2 Prior to installation of the rear dormer precise details of materials and finishes to be used for the dormer shall be submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

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 D DM1 of the Arun Local Plan.

- 3 **INFORMATIVE:** This permission relates to the variation of condition 1 of planning permission LU/159/19/PL only. The applicant is advised and reminded that the other planning conditions attached to the original planning permission number LU/159/19/PL remain in force and must be complied with.
- 4 **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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.