

Recommendation Report for Planning Permission

REF NO: LU/60/18/PL

LOCATION: Sunnymeade
Courtwick Lane
Littlehampton
BN17 7PA

PROPOSAL: Modification of scheme for units 1 to 3 approved as part of Application Number LU/32/17/PL - proposal to form dormer on east side of roof to provide new second floor rooms in roof space

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to the provision of dormer windows serving an additional bedroom and en-suite to each of the terraced dwellings approved under LU/32/17/PL. Each of the 3 properties would have 3 bedrooms in total. The height of the dwellings would be 2 storeys and would not differ from that previously approved. Each dwelling would have a car parking space.
SITE AREA	580 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	52 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m high close boarded fencing enclosing site
SITE CHARACTERISTICS	Detached chalet style dwelling with flat roofed garage to side.
CHARACTER OF LOCALITY	Predominantly residential characterised by a mix of dwelling height and style. 2 storey linked detached dwellings in Condor Mews and bungalow adjacent in Courtwick Lane. Industrial uses opposite in Courtwick Lane.

RELEVANT SITE HISTORY

LU/57/18/DOC	Application for approval of details reserved by condition imposed under planning permission LU/32/17/PL relating to condition No. 7 (Proposed surface water drainage scheme) & 8 (Hard & Soft Landscaping)	DOC Part Approved 01-05-18
LU/32/17/PL	Demolition of existing dwelling & garage & erection of 4 No. dwellings with on-site parking & landscaping.	ApproveConditionally 06-04-17

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No Objection

One Objection - Overlooking and congestion in the roads. All windows facing east and west upper levels are to have obscured glass and be fixed. Why would a doorma with windows be allowed

COMMENTS ON REPRESENTATIONS RECEIVED:

The previous permission only restricted obscure glazing to the windows in the east and west elevation of the detached dwelling and prevented the addition of windows in the side elevations of the terraced dwellings the subject of this application. It is not considered that the addition of dormer windows in the rear elevation would result in materially adverse overlooking.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN5 Provision of New Residential Development

GEN7 The Form of New Development

GEN9 Foul and Surface Water Drainage

GEN12 Parking in New Development

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

D SP1 Design

D DM1 Aspects of Form and Design Quality

D DM2 Internal Space Standards

D DM3 External Space Standards

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

Policy1 & 2 of Littlehampton Neighbourhood Plan are considered relevant to determination of this 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 site lies within the built up area boundary where the principle of residential redevelopment is acceptable. The terrace of dwellings has also previously been approved. The proposal represents sustainable development and benefits from the presumption in favour of sustainable development set out in paras 14 and 49 of the NPPF.

DESIGN AND VISUAL AMENITY

The site is occupied by a detached chalet style bungalow with the main garden area to the west side fronting Condor Mews. The plot size is significantly larger than others in the surrounding area. This application seeks approval for 3 dwellings which would be located as a terrace fronting Condor Mews. One car parking space would be provided in front of each dwelling. The set back distance of the proposed development in relation to the road frontages reflects that established in Condor Mews opposite. The terraced 2 storey development would be similar in style to the dwellings in Condor Mews. The site is located on a corner site in a prominent position but the site coverage with space to site boundaries and 2 storey height of the properties fronting Condor Mews is considered to represent a form of development that would be in keeping in this location. The character of the area is derived from mainly 2 storey dwellings in small/medium plots and the development would be in keeping with this general pattern of development in terms of layout, and visual amenity. The provision of dormer windows in the rear roof area would not be out of keeping with the appearance and design of dwellings in the locality and is deemed to be acceptable

The footprint of the buildings has not altered from that approved and when taken together with the car parking, cycle parking and storage and bin storage areas does not dominate the site coverage. Adequate amenity/landscaped space is provided to the rear of the units and each unit would have its own rear garden area. The garden depths exceed the minimum rear garden depth.

RESIDENTIAL AMENITY

The dwellings would be located a reasonable distance from site boundaries. A distance of 25m would be provided between the front elevations of the terraced properties and those opposite in Condor Mews with 10m provided to all rear boundaries. There are no openings proposed in the side elevations of the terraced properties. It is proposed that a condition is imposed to control the addition of further windows at first floor in the side elevations as previously approved. The distances from adjoining properties are considered adequate to prevent any unacceptable adverse impact from overlooking resulting.

HIGHWAY ACCESS

The site is located at the corner of Courtwick Lane and Condor Mews which are both unclassified public highways subject to a 30 mph speed restriction. One parking space per dwelling is provided in front of each dwelling. Two new crossovers are proposed from Condor Mews. County Highways previously

advised there were no apparent visibility issue on to Courtwick Lane or Condor Mews. They did not foresee a highway safety concern with the introduction of a crossover. There is the opportunity to provide pedestrian visibility splays either side of the proposed and existing accesses, within the site, in order to maintain visibility of pedestrians on the adjacent footway. Details can be secured via condition.

There is a shortfall in car parking but there was no highway safety concern with this shortfall in parking provision. A turn on site would be preferred but there is insufficient space to achieve this and other properties have similar arrangements. There is also the benefit of providing an opportunity to remove a vehicle that would otherwise be parked on the highway in a location where the existing practice is onstreet parking by residents of adjoining properties which results in a noticeable narrowing of the existing available carriageway space. The site is sustainably located.

SUMMARY

The proposal is 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.

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 Floor Plans and Location, Elevations and Sections, Site Plan Roof Plan.

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 part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety in accordance with policy GEN7 of Arun District Local Plan.

- 4 No part of the development shall be first occupied until pedestrian visibility splays have been provided either side of the proposed site vehicular access onto Condor Mews in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy GEN7 of Arun District Local Plan

- 5 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy GEN7 of Arun District Local Plan

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 7 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 8 No development above damp proof course (DPC) level 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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs 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.

- 10 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the side elevations of the dwellings 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 policies GEN7 and DEV19 of the Arun District Local Plan.

- 11 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and/or materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vii) hours of operation.

Reason: To avoid undue congestion of the site and consequent obstruction to access and adverse impacts on residential amenity in accordance with policy GEN7 of Arun District Local Plan. This is required to be a pre-commencement condition because it is necessary to agree the details prior to commencing any building works.

- 13 INFORMATIVE: The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access

works on the public highway

- 14 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.