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Dear Anita

Further to our recent discussions, and following your conversation with your colleague Neil Crowther, I would like to highlight the following in support of the above planning application:

1. The driveway width to serve the new dwelling would be within an area measuring 4.4m wide (from boundary to new side elevation of No.6 following removal of the garage and porch). The driveway itself would have a width of just 2.4m, and therefore there is ample room for landscaping/planting to either side of the driveway within the control of the applicant. Further, it is the applicant's intention to provide suitable acoustic fencing to both sides of the driveway to demarcate the boundary and provide mitigation from movements of vehicles along the new driveway adjacent to the adjoining properties and their gardens. Please see the attached revised site layout plan for indicative details of the mitigation to be provided. The Applicant would be satisfied with a suitably worded planning condition in respect of both these matters (fencing and landscaping), if this is considered necessary by Officers.
2. It is important to acknowledge that the existing garage to No.6 could be demolished and replaced with a new driveway to the rear, where a new garage could be erected to serve No.6 – all without the need for planning permission, given the rights to householders conveyed in the General Permitted Development Order. The resultant level of activity and movements associated with this arrangement would be no

different from that which would result from the development proposed by our current application (ref: R/268/19/PL) – i.e. it would serve one dwelling. We suggest that this is a material consideration.

3. Our attention has been drawn to a planning application for a single house on land rear of No.312 Chichester Road, Bersted (Arun DC ref: BE/102/18/PL). This application was refused and then subject to an Appeal (ref: APP/C3810/W/19/3230405), which was dismissed solely for the reason of impacts on residential amenity. In particular the Planning Inspector identified one of the main issues as being the effect of the proposal on the living conditions of 310 and 312 Chichester Road in respect of noise and disturbance, and the following points are relevant to our application:
 - a) In the Bersted case, similar to our own proposals, the driveway would be independent from the host dwelling and would be extended to run alongside the retained garden to serve a new parking area sited adjacent to the rear of the host property.
 - b) In the Bersted case, the side elevations of both the host dwelling and the neighbouring dwelling (No.310) included obscured and non-obscured windows. That would not be the case with the proposals for No.6 – indeed, following the removal of the garage, the doorway to the kitchen would be bricked up, and the kitchen and lounge would be served by front and rear facing existing windows respectively. In addition, the adjacent property to the west has its garage to its east side (adjacent to the proposed driveway), and as identified by the photographs below it does not have any windows in its side elevation facing onto the application site. Further, it is reasonable to presume that this closest part of the neighbouring house does not contain its principle living areas. Lastly No.4 also has a walkway to its east side between its side elevation and the boundary of the application site.
 - c) Importantly the Bersted case provided a **driveway width of just 2.74m between the side boundaries (in our case it is 4.4m)**. The Inspector noted that this would allow “around 0.5m space for landscape planting... [but] I am not satisfied that there is room to provide planting and/or acoustic fencing alongside No.312 which would adequately mitigate the harmful impact of engine noise and car lights on that property”. The Inspector also raised concerns that there were no specific details of the mitigation measures, and actually the 2.74m gap would effectively be reduced by downpipes etc serving the host property.
4. It is therefore clear that there are significant material differences between the Bersted case and the situation that would result from the development proposed by application BE/102/18/PL. The space to the side of No.6 is some 1.66m (or 60%) wider than that considered unsuitable in the Bersted case. In addition, there would be no windows in the side elevation of the host dwelling (No.6) and there are none to the side of neighbouring No.4 (the closest part of which is a garage). The 4.4m width proposed by this application for the driveway allows ample room for the driveway in addition to the provision of meaningful buffer planting between both side boundaries and the new driveway, plus the provision of acoustic fencing to both sides. As set out above, the applicant would be satisfied with conditions requiring further details of these matters if considered necessary by the Council. However, in order to provide comfort to Officers, **please find attached an updated site layout plan**, which provides further clarification via annotations in respect of the proposed mitigation measures. The revised plan incorporates important changes, which are the inclusion of a landscaped verge measuring 1100mm from No.6 Manor Road. The driveway width is 2400mm. There is now a 700mm verge to the neighbouring property No.4 (along the site’s west boundary). It is important to note that the gap from this boundary to the eastern side wall of No.4 itself is 1500mm. This part of No.4 is a double garage, which measures 3400mm wide. Therefore, the actual distance now achieved from the driveway is 5750mm in total (700mm grass verge, 150mm fence, 1500mm gap, and 3400mm to the nearest habitable room at No.4). The applicant also has added a living wall of planting (if required on both sides of fencing) to soften the look and give extra noise protection for the neighbouring properties No’s 4 and 6 Manor Road. There are minor changes to the hardstanding within the site to accommodate the turning of vehicles.
5. The combination of the site circumstances and the mitigation proposed would ensure that the proposals for a backland development would not demonstrably harm the living conditions of either the occupiers of the host dwelling, or the neighbouring dwelling (No.4). **The proposals are therefore compliant with Arun Local Plan policies D DM1 and QE SP1, which amongst other things, aim to protect residential amenity.**

The applicant and myself would be grateful if you and Mr Crowther could assess the planning application in the context of the above, and please let me know as soon as possible if any further clarification is required. We hope that this information is satisfactory, and will allow the planning application to be reported to the District's Planning Committee scheduled for 4th March 2020, with an Officer recommendation for approval.

Kind regards,

Tim Rodway





TIM RODWAY



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