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PLANNING SUPPORT STATEMENT

In relation to:

***‘Demolition of existing garage & store to an
existing dwelling & erection of 1 no. bungalow
to rear’***

**6 Manor Road, Rustington, West Sussex,
BN16 3QT**

May 2020

PLANNING STATEMENT

6 Manor Road, Rustington, West Sussex, BN16 3QT

I. INTRODUCTION

- 1.1 This planning application proposes the erection of 1 x 3 no. bedroom bungalow, to be positioned to the rear of No. 6 Manor Road, following the demolition of an existing garage & store to the existing dwelling, which will otherwise be retained.
- 1.2 The proposal seeks a re-submission of a previously refused planning application, which sought permission for *'Demolition of existing garage & store on existing dwelling & erection of 1 no. four-bed chalet style dwelling (planning ref: R/268/19/PL/)*. Regard is also given to the recent dismissed Appeal in respect of a scheme for 2 no. chalet properties on this site (**planning ref: R/72/19/PL**, and **PINS reference: W/4000366**).
- 1.3 This Planning Statement is submitted in support of the above planning application. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policies and all other material planning considerations.
- 1.4 This statement should be read in conjunction with the submitted drawings, which have been prepared by deadspace Designs, and the Preliminary Ecological Appraisal, prepared by The Ecology Partnership.



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2. SITE CONTEXT

- 2.1 This planning application seeks to erect 1 no. detached bungalow in a backland position to the rear of No. 6 Manor Road. The demolition of an existing garage & store on the existing dwelling will be required in order to facilitate the proposed development and associated access.
- 2.2 The appeal site is broadly rectangular in shape and measures approximately 0.13 hectares (1323m²) in size. It lies on the south side of Manor Road, relatively close to the junction with Old Manor Road to the west.



Fig 1. Aerial map showing the Appeal site and its surroundings (*courtesy of Promap*)



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- 2.3 The appeal site is bordered by fencing (approximately 1.8m in height), with some sections of block wall and hedging to the rear (approximately 5m in height). The existing boundary treatments are to be retained as part of the development.
- 2.4 The surrounding area is predominantly residential in character and is typified by mainly detached and semi-detached bungalows. There is a small cul-de-sac / backland development of bungalows to the immediate east of the application site at Grafton Close.
- 2.5 In terms of the site's designations in relation to Local Level policies, the site is located within the defined built-up area boundary for Rustington, as defined by Policy Map 4: Littlehampton and the Surrounding Area.
- 2.6 The host dwelling (No. 6 Manor Road) is not a statutorily Listed building, and nor is it located within a Conservation Area.
- 2.7 To our knowledge, there are no other planning constraints or designations that are applicable to the appeal site.



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3. PLANNING POLICY CONTEXT

(i) National Planning Policy Framework (NPPF)

- 3.1 The National Planning Policy Framework (NPPF) was originally published in 2012, with a revised version published in July 2018. A further updated version of the NPPF was published in February 2019, comprising only minor alterations to the 2018 publication.
- 3.2 The NPPF confirms that planning law, as set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, requires that applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.3 The focus of the revised NPPF continues to be achieving sustainable development. The NPPF clarifies that *“at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”* (taken from Resolution 42/187 of the United Nations). However, at paragraph 8 the Framework sets out that in planning terms, and in order to achieve sustainable development there are *“three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)”*. These objectives are economic, social and environmental, which *“should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”* (paragraph 9).



- 3.4 Paragraph 11 is an important element of the NPPF. It states that: *“Plans and decisions should apply a presumption in favour of sustainable development... For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*
- 3.5 Paragraph 12 confirms that *“the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”*
- 3.6 Section 4 of the Plan refers to Decision Making. At paragraph 38 of the Framework, it sets out that *“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should... work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. **Decision-makers at every level should seek to approve applications for sustainable development where possible.**”*
- 3.7 Section 5 relates to delivering housing. It reiterates at paragraph 59 that the Government’s objective is to significantly boost the supply of new homes. Paragraph 63 confirms that non-major development schemes should not have to provide

affordable housing (although a lower threshold is applicable in designated rural areas). Paragraph 68 identifies the important role small and medium sized sites can make to meeting the housing supply of an area. It states that local planning authorities should *“support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes...”*

- 3.8 At paragraph 73 the NPPF sets out that *“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old”*. The Framework also clarifies that *“a five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement”*
- 3.9 Section 9 discusses sustainable transport, including the need to support opportunities, and give priority to walking, cycling and public transport, in addition to creating places that are safe, accessible, address the needs of people with disabilities, and are designed to enable charging of plug-in and other ultra-low emission vehicles.
- 3.10 At paragraph 103 the Framework confirms that *“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”*.
- 3.11 Paragraph 106 sets out that *“Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling*

justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport”.

- 3.12 Paragraph 108 confirms that the main considerations in transport terms when determining specific planning applications is that proposals should provide: “a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree”.
- 3.13 At paragraph 109 the Framework also confirms 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”.
- 3.14 Section 11 is entitled ‘Making effective use of land’. Paragraph 117 confirms that “planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”.
- 3.15 Paragraph 118 sets out that decision makers are required to give regard to benefits of development, including environmental gains, and should “c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”.
- 3.16 Paragraph 122 discusses the need to achieve appropriate densities. Account needs to be given to the identified need for different types of housing and the availability of land suitable for accommodating it, local market conditions, sustainability,



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existing character and setting, and *“the importance of securing well-designed, attractive and healthy places”*.

3.17 Section 12 refers to achieving good design. Paragraph 124 states *“the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development...”*

3.18 Paragraph 127 sets out that *“decisions should ensure that developments:*

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

- 3.19 Paragraph 130 confirms that *“where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development,”* whilst paragraph 131 sets out that *“in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*
- 3.20 Further parts of the Framework that are of particular note include Section 14, which relates to matters of climate change, and flooding and Section 15, which refers to conserving and enhancing the natural environment.
- (ii) The Arun Local Plan 2011 – 2031**
- 3.21 The Arun Local Plan 2011 – 2031 was adopted by resolution of Full Council on 18th July 2018. It comprises a written statement and supporting policy maps 1-4. The plan sets out a spatial vision, objectives and a sustainable strategy for delivering the needed growth of the District over the period 2011 – 2031. This plan replaces the Arun Local Plan 2003 and the saved policies within it and now provides the most up-to-date policy guidance for the District.
- 3.22 As identified on **Fig 2**, the application site is located within the built up area boundary for Rustington, where in accordance with **Policy SD SP2** (Built up Area Boundary), development should be focused, subject to consideration against other policies of the Local Plan.



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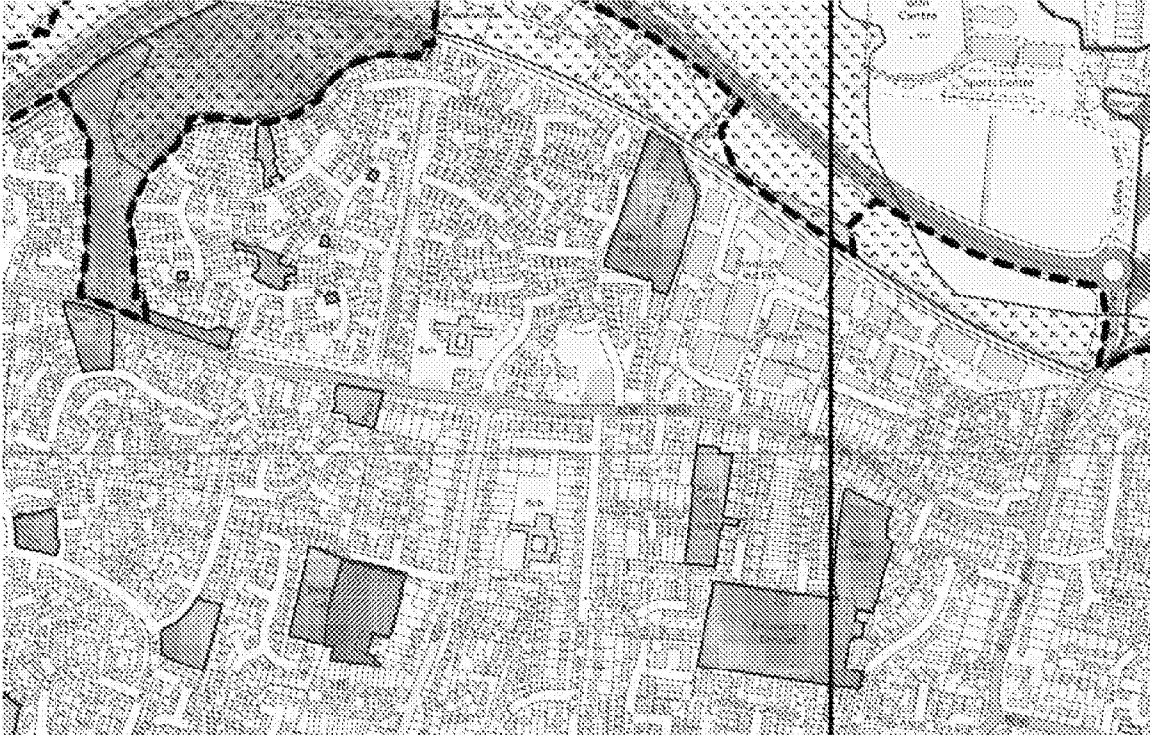


Fig 2. Extract from Arun Local Plan Policy Map 4: Littlehampton & Surrounding Area

3.23 The following policies are considered to be of relevance to this proposal:-

3.24 **Policy SD SP1** is a general policy, which relates to Sustainable development. It states that *“when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland). This presumption will not be applicable where development requires an Appropriate Assessment or where consideration of the need for one is being undertaken”*.

- 3.25 **Policies H SP1 and H DM1** are general policies, which relate to The Housing Requirement and Housing Mix respectively. The District is required to provide at least 20,000 new homes over the plan period (up to 2031). This requirement is to be met by a number of strategic allocations as set out in the Local Plan, windfalls, and additional non-strategic allocations that will be made across the District through emerging Neighbourhood Plans and the production of a subsequent Non-Strategic Site Allocations Development Plan Document (DPD). The supporting text to **Policy H DM1** confirms that *“requirements vary across the District and factors such as proximity to public transport and services, place and site characteristics will determine what is a suitable dwelling mix at any particular location... The Council is keen to promote growth and deliver development that reflects the demand and profile of households in the District”*.
- 3.26 **Policy D SP1** refers to Design. It states that *“all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments (as defined in the GDPO 1995 (as amended(41)) or allocated sites in the Development Plan. In addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required”*.
- 3.27 **Policy D DM1** relates to aspects of form and design quality. It states that *“when considering any application for development the Council will have regard to the following aspects:*
1. *Character. Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its*





9. *Public realm. Provide or enhance layouts, streets and public spaces so that they are attractive, socially inclusive, safe and secure, adaptable, with appropriate*



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provision for planting, street furniture, and facilities for bicycle storage to create a place with attractive and successful outdoor areas.

10. Layout - movement Utilise existing networks or improve access via delivery of a variety of integrated networks, to and from residential areas, commercial zones, open spaces, facilities and public transport. Development schemes should carefully consider walking and cycling as an integral part of the overall design concept.

11. Layout – legibility. Deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building detail, signage).

12. Public art. Public Art should be incorporated into schemes where there is capacity to do so. Public art can encompass a wide variety of elements to include art as part of the design of buildings and developments, landscape and planting, street furniture, signage and lighting in the public realm which is accessible to all. This can also result in physical, permanent artworks and sculptures.

13. Density. The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity.

14. Scale. The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.

15. Aspects of form and design quality. Development should also comply with the Arun District Council Design Guide".

3.28 **Policy D DM2** relates to the Council internal space standards. The planning authority will require internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs.

3.29 **Policy T SP1** is a generally policy that refers to Transport and Development.

3.30 **Policy QE SP1** (Quality of the Environment) is also of relevance. This policy reads as follows:-

"The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District.

The location of existing industrial and commercial uses, including waste management uses, must be taken into consideration when assessing proposals for development sensitive to noise, light, odour and outputs to air. This is to ensure that land allocated to these uses are protected and to ensure that the amenity of new developments and facilities is safeguarded from the impacts of incompatible land uses".

(iii) Rustington Neighbourhood Plan, 2014 - 2029

3.31 The Rustington Neighbourhood Plan went to Referendum on 28 January 2015, and resulted in a 93.54% majority to accept the Plan. The Plan was then adopted by Arun District Council as a Statutory Document, forming a part of the Development Plan.

3.32 **Policy 2** is entitled Housing Design and states that *"development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape. Proposals must also comply with the parking standards adopted by the planning authority".*



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4. PLANNING HISTORY

a. Application Site

- 4.1 This planning application is essentially a resubmission of an application for 1 no. chalet style property on this site (**planning ref: R/268/19/PL**). This application was refused at the Council's Development Control Committee meeting in March 2020, contrary to Officer's recommendation that planning permission should be granted.
- 4.2 This application was refused via a decision notice dated 12th March 2020. The Council cited 1 No. reason for refusal, as follows:-
"The proposal will not result in a form of development that will enhance the quality of the environment contrary to policy QE SP1 of the Arun Local Plan."
- 4.3 This decision is now the subject of a current Planning Appeal (**PINS reference: W/4001103**), which is under consideration by the Planning Inspectorate.
- 4.4 Prior to this, an application for 2 no. chalet style dwellings was refused by the Council (**planning ref: R/72/19/PL**). This decision was subject to a separate planning appeal considered by the Planning Inspectorate (**PINS reference: W/4000366**). This Appeal was dismissed by the Inspector's decision letter dated 17 April 2020. It is noteworthy that the Council's reason for refusing this 2-unit scheme is entirely different to that cited against the current and more recently refused 1-unit scheme. The reasons for the Inspector's decision will be discussed in detail below.

b. Adjacent Sites

- 4.5 Grafton Close, situated to the immediate east of the site, is understood to have been developed during the 1970's following the District Council's granting of planning permission for an 'Outline application for 5 dwellings with integral garages' in March 1972 (application **reference R/15/72** refers). From the planning history records





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held online it is not clear what was at this site before it was developed with the 5 bungalows that now comprise Grafton Close, but there is reference to original properties named 'Grafton / No.8 Manor Road' and 'The Sheilings', as well as simply 'Land south of Manor Road'. As there is now no No.10 Grafton Road, it appears that 2 dwellings were demolished to make way for what is now 5 properties (including 3 'backland' dwellings) at Grafton Close.



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5. THE PROPOSAL

- 5.1 This revised application proposes the erection of a single storey independent dwelling in the rear garden of the host property, No.6 Manor Road.
- 5.2 An existing garage and store to the side of No. 6 Manor Road would need to be removed in order to facilitate the proposed development and associated access.
- 5.3 The proposed dwelling would comprise an open plan kitchen/ living area, 3 no. bedrooms, utility and bathrooms at ground floor level.
- 5.4 Materials proposed are white timber effect cladding to the gable feature, with stock bricks to the elevations. The roof would comprise grey slates tiles.
- 5.5 The existing westerly crossover would be modified and slightly repositioned. The proposed access would be provided along the western boundary, leading to a turning/ parking area for the proposed dwelling. Acoustic fencing to the boundaries of the new plot adjoining the driveway and parking area in addition to new planting/buffers are to be provided. There would be ample space for at least 2 cars to park in front of the new bungalow.
- 5.6 An area of private residential garden is proposed to the rear of the site measuring 194 sqm. The host dwelling would be retained with a rear garden of 165sqm.
- 5.7 The host dwelling would retain its easterly crossover and garage, and hardstanding area to front. This provides ample parking provision for the retained property of No.6.
- 5.8 Dedicated cycle parking and bin storage areas are to be provided, as detailed on the site layout plan that accompanies this submission.



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6. PLANNING ASSESSMENT

a. Main Issues

- 6.1 Other than the principle of development, there are two main issues that require analysis as part of the assessment of this revised scheme for a single bungalow. The first consideration is the Council's decision on an application for 1 no. chalet style dwelling (R/268/19/PL). The second important consideration is the Planning Inspector's decision on the Appeal for 2 no. chalet style dwellings on this site.

b. The Principle of Development

- 6.2 As outlined by the Arun Local Plan Policy Map 4 (Littlehampton & Surrounding Area), the site is located within the defined built up area boundary for Rustington where the principle of development is generally accepted, subject to other policies within the development plan. This has been previously accepted by the Council and the Planning Inspector when considering previous schemes at this site.

c. Decision on Planning Application R/268/19/PL

- 6.3 The Committee's decision to refuse the previous application for a single chalet style dwelling refers to a single policy - Policy QE SP1 (Quality of the Environment) of the Arun Local Plan. This policy requires development to positively contribute to the quality of the environment, whilst ensuring that it does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District. The entire second paragraph of the policy relates to existing industrial and commercial uses, and would also have no relevance to this proposal, given that the Appeal site is located in an entirely residential area.
- 6.4 This planning application seeks to erect 1 No. 3-bed bungalow in a backland position to the rear of No. 6 Manor Road. The proposal will have no impact upon *'leisure and*



recreational activities enjoyed by residents and visitors to the District’ and as such, the second part of the first paragraph of policy QE SP1 is irrelevant.

6.5 Breaking down the remainder of the policy, it is our view that the key elements of policy QE SP1 (insofar as they would relate to the proposed residential dwelling) are as follows:-

- (i) All development is required to contribute positively to the quality of the environment;
- (ii) Development should not have a significant negative impact on residential amenity;
- (iii) Development should not have a significant negative impact on the natural environment.

This planning application will therefore be assessed in relation to the above issues.

(i) The quality of the environment

6.6 Following refusal of the previous application (R/268/19/PL), the application has been reduced in scale and height, and is also of a more traditional appearance. The detached garage has been deleted in its entirety.

6.7 It is considered important to acknowledge that the Council’s Planning Officers supported the previous planning application, and recommended Permission be granted. Officers raised no concerns regarding design and visual amenity. Within the Committee Report Officers made the following comments:-

“The plot is considered to be of a reasonable size being readily comparable with other properties along Manor Road. Adjacent properties in Grafton Close and Campbell Road, to the rear, are considerably smaller in size with some properties having only appropriately 38.25 sq m for rear garden space (5 Grafton Close). The proposed dwelling is situated off an access driveway, which is located to the side of the existing residential development, and as such would not have a significant presence within the street scene of Manor Road.

The type of dwelling reflects the height and footprint of adjacent properties which comprises bungalows in Grafton Close and 2 storey dwellings to the rear. The siting, design and materials are considered to have an acceptable impact upon the established character and pattern of development within the locality of the site in compliance with policies D SP1 and D DM1 (1) of the Arun Local Plan and Policy 2 of Rustington Neighbourhood Plan.

The dwelling would be located in line with 2, 3 and 4 Grafton Close with materials on the elevations which comprise white render on both the garage and house and as such would reflect those on number 9 Manor Road. The proposed materials for the roof are grey colour which would be acceptable in a residential area such as this.

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 40 of the National Design Guide States “well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones”. Paragraph 41 advises that well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. This is proportionate to the nature, size and sensitivity of the site and proposal. The proposed design, layout, plot size and form of the proposal would reflect the design and plot size of other dwellings in the area. The adjacent Close is dominated by single storey built form but other properties in Manor Road are 2 storey. The chalet style development reflects this grain of development. The proposal meets the above criteria”.

- 6.8 The reduced scale and height of the proposed bungalow (previously chalet style), and the more traditional appearance, combine to ensure that this development will be discrete and sensitive to the local environment. It will be barely perceived from any public viewpoint, with existing development and boundary treatments ensuring that there will be no impact on the streetscene.

6.9 This application proposal will provide a high quality, sustainable development, which will set a positive benchmark for Rustington. It would appear wholly in keeping with neighbouring development and would not detract from the established character and appearance of the surrounding area. The proposal will result in a form of development which will contribute positively to the quality of the environment, in compliance with policy QE SP1 of the Arun Local Plan.

(ii) Residential Amenities

6.10 Previous applications at this site proposed 2 dwellings, and the Council raised concerns regarding the proposed impact of the development upon residential amenities, including the living conditions of occupiers of the new dwellings. This matter will be considered in detail below.

6.11 The proposed single dwelling would still be located to the rear of the site, set well away from the host dwelling and neighbouring boundaries. The separation distance between the proposed property and the side boundaries would be 3.4m to the west and 3.5m to the east. A 9m rear garden depth is provided for. The separation distance to the rear elevation of No.6 to the front of the site is 22m.

6.12 It is our view that the proposed backland development would be wholly appropriate for this location and would integrate well with existing residential development. This revised application has resulted in a markedly reduced scale development. Great care and consideration has been paid to window placement, with all first floor accommodation now omitted.

6.13 The overall garden size at 194sqm has been increased from previous application schemes at this site, and with the deletion of the garage, there is an increased sense of space around the new bungalow. The garden size is considered wholly appropriate for the scale and type of new dwelling that is now proposed. As before,



the existing property will have a garden area of 165m², which the Council previously confirmed *"would be adequate to serve the bungalow"*.

- 6.14 The omission of the garage, and the reduction in height of the dwelling, coupled with the separation distances, will ensure that the proposals would not create an unacceptable impact on the residential amenities of occupiers of neighbouring properties. Further, the internal space, layout and positioning of windows for the new bungalow will ensure that acceptable living conditions will be provided for future occupiers of the proposed dwelling. The proposal would therefore comply with policies DSP1, DDM1(3) and QE SP1 of Arun Local Plan.
- 6.15 As per the previous application, this revised application would involve the creation of a new driveway along the western boundary. Importantly, the Council raised no concerns to this element of the proposal at the time of the previous applications being considered. It is accepted that the proposed development would result in increased comings and goings to the site via this access, however in our view this usage would be minimal and the proposal would not cause demonstrable harm to the residential amenities of any neighbouring property by way of noise and disturbance. The Planning officer considered this issue within their committee report, noting that *"it is necessary to consider whether the intensification and extension of the access driveway would be harmful to the amenity of 4 Manor Road to the west and the host dwelling. It is accepted that there is already access down part of the side of no. 6 to the garage and that no. 6 also has a driveway and garage on the side. The proposal will extend the driveway past the two existing houses and result in new vehicle movements to and from the new house including by delivery vehicles. The driveway is proposed to be 4.4m wide where it passes between no. 6 and the fence to no. 4... This would give 1m space to either side of the access for new acoustic fencing to be erected on both sides of the driveway which would reduced any disturbance by way of noise to an acceptable level. This will be secured by way of proposed condition 5"*.

6.16 The suggested condition 5 read as follows:-

"5. No development above damp proof course (DPC) level shall take place until details of acoustic fencing to the side boundaries of the access have been submitted to and approved by the Local Planning Authority and the new dwelling shall not be occupied until the approved acoustic fencing has been erected. The fencing shall be retained in perpetuity".

6.17 We can confirm that the Applicant is agreeable to the above condition being imposed on any planning approval at this site.

6.18 We are aware that the Council is applying the Technical housing standards – nationally described space standard. The proposals would provide a bungalow with a gross internal floor area of 132.47sqm. The standard for a 3-bed/6 person single storey dwelling is 95 sqm. The proposed development would therefore be fully compliant with Policy D DM2 of the Arun Local Plan and guidance set out within the Government's 'Technical Housing Standard's.

6.19 Taking into consideration all of the above, it is our view that the revised proposal would not have a significant negative impact on the residential amenities of the occupiers of any neighbouring dwelling by way of loss of light, overbearing effect or through the creation of noise and disturbance, and would be fully compliant with Policies SP1 D, DM1 and QE SP1 of the Arun Local Plan.

(iii) The Natural Environment

6.20 This revised application is accompanied by a Preliminary Ecology Report, which has been prepared by The Ecology Partnership. This report draws the following conclusion:-

- *"The site does not lie within or adjacent to any designated sites. It is considered that the development will not lead to any significant impacts on*

these protected sites or surrounding habitats due to the scale of the proposals and the distances involved.

- *The western garage has negligible roosting bat potential and can be removed without further consideration for bats. The house has at least low roosting bat potential and any future refurbishments which may affect the void and/or roof will require further surveys. A sensitive lighting scheme has been recommended.*
- *The small mammal holes in the rear garden should be excavated sensitively with hand tools as any mammals which may be present are protected from crushing or asphyxiation under the Wild Mammals (Protection) Act 1996.*
- *Owing to a lack of suitable habitat and/or connectivity, the site is not considered to be constrained by other protected/notable species such as reptiles or great crested newts.*
- *A range of ecological enhancements have been recommended to provide a net gain in biodiversity post-development in line with local plan policies”.*

6.21 The following recommendations within the report aim to enhance the biodiversity on site post development:-

- New roosting opportunities created by integrating bat boxes/ tubes in the new dwelling;
- New tree, shrub and herb planting including native species of value to wildlife;
- Green walls created using trellis on new and existing fences and on the side of new buildings;
- Where possible, fencing adapted to be made hedgehog-friendly on site by creating a hole at the base.

6.22 The Council’s case officer confirmed acceptance of the proposal from an ecological perspective within their committee report in respect of application R/268/19/PL stating that *“on this basis the development will not lead to any significant impacts*

on these protected sites or surrounding habitats... this range of ecological enhancements is conditioned to provide a net gain in biodiversity post-development in line with local plan policy ENV DM5".

- 6.23 For the reasons outlined above, it is our view that the proposal will not have a significant negative impact on the natural environment in compliance with Policy QE SP1 of the Arun Local Plan.

d. Appeal Decision

- 6.24 As set out above, a previous scheme for 2 dwellings on this backland site was refused by the LPA, and then subsequently dismissed at Appeal (ref: W/4000366). This decision is dated 17 April 2020, and a copy of the Inspector's decision letter (DL) can be provided on request.
- 6.25 As explained above, the LPA's reason for refusing this previous 2-unit application is entirely different from the reasons cited in respect of the subsequent single unit proposal (R/268/19/PL). Although it is acknowledged that the two schemes are materially different, this does not in our opinion warrant such a departure in terms of the Council's assessment of the two proposals.
- 6.26 Notwithstanding this, it is considered relevant and important to consider the Planning Inspector's reasons for dismissing W/4000366, and whether the concerns raised have been satisfactorily addressed by this revised scheme for a single bungalow.
- 6.27 The Inspector considered there to be a single main issue, specifically "*whether the proposal would provide adequate living conditions for future occupiers*" (DL paragraph 2).



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- 6.28 The Inspector commented that the two dwellings would have a similar layout arrangement to existing properties to the east at Grafton Close. Importantly the Inspector confirmed that the previous scheme for 2-units *“would not be particularly visible from Manor Road”* (DL paragraph 4). This is pertinent to this current proposal, given the Council’s new main objection to application R/268/19/PL is the impact the single chalet dwelling would have on the quality of the environment. Plainly, if the new housing is barely visible from the streetscene, then the visual amenity and character issue is diminished. This lack of visibility is increased by this revised application due to the reduction in height and scale by the removal of first floor accommodation, and also the deletion of the garage.
- 6.29 Also at paragraph 4 of the DL, the Inspector says that the 2 new houses *“would be sited extremely close to each other and the boundaries of the site, essentially filling the width with built form”*. This revised proposal for just one property provides significant planting buffers to the side boundaries of the site (3.5m to the east, and 3.4m to the west). Therefore providing a much more spacious and verdant character to the site than that would be result if the previous scheme had been allowed. However, it does not read that this relative infilling of the available width of the site was a reason the Inspector decided that the previous Appeal should fail.
- 6.30 Indeed, the Inspector’s focus in this respect was the first floor accommodation that was proposed, and specifically the living conditions for occupiers of Bedroom 2. At DL paragraph 5 the Inspector noted that *“In order to provide privacy to future occupiers the rear windows of both dwellings at first floor level would be obscurely glazed. One of the obscurely glazed windows would serve Bedroom 2. Despite Bedroom 2 having a small dormer to the front elevation, the layout of the room and size of windows would suggest that the rear section would be fully utilised. As such it is highly probable that future occupiers would use the whole bedroom, and the incorporation of a large glazed window would create an oppressive and inhospitable environment for those occupiers”*. At subsequent DL para 6 the Inspector confirms



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that the removal of the obscure glazing to the rear elevation would fail to *“provide adequate levels of privacy for future occupiers due to the extremely close positioning of the dwellings and the location of the main habitable rooms in relation to the rear garden areas”*. Therefore the Inspector concluded that the previous Appeal would not have provided adequate living conditions for future occupiers, in conflict with Policy D SP1 of the Arun Local Plan (2018) (DL para 7).

- 6.31 The subsequent proposals (R/268/19/PL) were agreed by Planning Officer to be acceptable in respect of living conditions, for both future occupiers and neighbouring residents. This revised application now proposes a single storey dwelling, which effectively further reduces any unneighbourly issues via the removal of the first floor accommodation, resulting in no upper floor accommodation or windows. Therefore, the revised proposals for 1 no. bungalow entirely overcome the Inspector’s reasons for dismissing the previous Appeal for 2 units.
- 6.32 It is noted that the Inspector considered that the contemporary design of the 2 units *“would sit comfortably within the wider area due to the mix in design and form”* (DL para 8). This is considered particularly important given the criticisms levied at the Appeal scheme by the LPA’s Councillors at the Planning Committee meeting. Notwithstanding this, the Applicant has provided a more traditional design to the new bungalow that is now proposed, and we trust that the Council will consider this acceptable.
- 6.33 At DL paragraph 9 the Inspector commented that the proposed houses would have larger amenity areas than those on Grafton Close to the east, but these existing properties have more space around them due to having a direct street frontage. The proposal for a single dwelling would have an even further increased level of space and amenity area surrounding the new house. In any case, our reading is that the previous Inspector does not use as a justification for dismissing the Appeal.



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- 6.34 At DL paragraph 10 the Inspector confirms that the variety of issues raised by third parties have been taken into account, but she shared the LPA's position that these matters *"could either be adequately addressed by suitably worded planning conditions or could be more appropriately dealt with by other legislation"*.

e. Other Matters

(i) Sustainable Development Summary

- 6.35 As outlined above, the focus of the new NPPF is for development to be sustainable. It sets out there are three principle 'objectives' to achieving sustainable development: economic, social and environmental. In this part of the Planning Statement the main factors that inform the judgement as to whether the proposal would be a sustainable form of development are summarised. In reaching that view all matters referred to in the above report have been taken into account.

Economic Objective

- 6.36 The planning proposal would result in the creation of construction jobs during the build period. The additional population could help generate more local spending in the local community, provision of infrastructure and services, and generate New Homes Bonus funding as well as additional Council Tax receipts. These are all material considerations that weigh in favour of the development. It is considered that the proposal would satisfy the economic role of sustainable development.

Social Objective

- 6.37 The provision of 1 no. dwelling house will make a small, albeit notable contribution to boosting the supply of housing in the District. The NPPF seeks to promote *"strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations"*. Due to the location of the site within the built-up area of Rustington, close to the town centre where there are a number of services, facilities and transport options including a railway station, it is considered that the location of the site is highly

sustainable. Overall it is considered that the proposal would satisfy the social role of sustainable development.

Environmental Objective

- 6.38 There is an overriding need to ensure that development should contribute to protecting and enhancing the natural, built and historic environment. The proposed development in terms of layout, scale and appearance is considered to be in keeping with the character of the surrounding area and hence would not result in an adverse impact to the character of the surrounding built environment. There are no biodiversity or landscape constraints that relate to this site. The proposal would not result in any highway safety problems. As such, the environmental role of sustainable development would be satisfied by this proposal.



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7 CONCLUSIONS

- 7.1 This planning application proposes the erection of 1 No. 3-bed bungalow to the rear of No. 6 Manor Road, following the demolition of an existing garage & store on the existing dwelling.
- 7.2 This is a revised proposal following schemes for 2 units (R/72/19/PL/), and a single unit (R/268/19/PL). The former was refused and then dismissed on Appeal, but only for reason for unacceptable living conditions of future residents of the new dwellings – specifically due to the layout and window positioning for first floor bedroom 2. The latter application was recommended for approval, but was overturned by Committee with reference to Local Plan policy QE SP1 specifying that the proposals would not have enhanced the quality of the environment.
- 7.3 It is our view that the reduction in the scale of the scheme to 1 no. bungalow has adequately addressed both the Council and Inspector's concerns. Therefore the proposal, as now presented, would represent an entirely acceptable form of development in this location.
- 7.4 To conclude, the site by virtue of its position, size and shape is considered wholly suitable to accommodate 1 no. dwelling and private amenity space satisfactorily, without having any adverse effects upon residential amenity or the quality of the local environment. The proposal would represent a high quality design and would result in a high quality development, in full compliance with **Policies DDM1, DSP1 and QE SP1** of the Arun Local Plan. The proposals also would create a sustainable development, in accordance with the guidance and intentions set out in national planning policy (the NPPF).

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