

Recommendation Report for Planning Permission

**REF NO:** FP/57/19/PL

**LOCATION:** Ye Old Malt House Restaurant  
Waterloo Road  
Felpham  
PO22 7EH

**PROPOSAL:** Conversion of existing restaurant (A3 Food & Drink) & flat into 2 No. cottages. This application affects the character & appearance of the Felpham Conservation Area.

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| <b>SITE AND SURROUNDINGS</b> |
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|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DESCRIPTION OF APPLICATION</b>            | It is proposed to convert the existing premises into two residential cottages to match in style with those of existing cottages in the streetscene. The main external changes are to the front ground floor (changing the existing shop front to a pair of new doors and a pair of windows - 1 each per dwelling). doors and windows). There are some other fenestration changes on the rear and two single storey mono-pitch rear extensions will also be removed. It is also proposed to renew the elevations using matching smooth painted render. There is no parking provision but there is a rear yard which will be subdivided to provide amenity space and bin storage. A soakaway will also be provided in this area. |
| <b>SITE AREA</b>                             | 0.012 hectares.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>RESIDENTIAL DEVELOPMENT DENSITY (NET)</b> | 167 dwellings per hectare.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>TOPOGRAPHY</b>                            | Predominantly flat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>TREES</b>                                 | None affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>BOUNDARY TREATMENT</b>                    | The front boundary is directly onto the road. The rear of the site has not been visited but is understood, as according to a previous officer report, that it has a 1.8m high brick wall.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>SITE CHARACTERISTICS</b>                  | The application site comprises a two storey building with a restaurant on the ground floor and a residential flat above. It has white smooth rendered walls, flint work on the side elevation and a slate roof. There are two windows at first floor level. The ground floor has a timber shop front consisting of eight glazed panels four; on each side of a central pillar. There is no off-street parking.                                                                                                                                                                                                                                                                                                                 |
| <b>CHARACTER OF LOCALITY</b>                 | The site lies within the Felpham Conservation Area and is a predominantly residential area comprising of terraced cottages with the Fox Inn and its car park opposite.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| <b>RELEVANT SITE HISTORY</b> |
|------------------------------|

FP/167/10/

Modernising shop front (re-submission of FP/46/10/)

ApproveConditionally  
15-11-10

The property was formerly residential dwellings then a general stores and then was changed to a tea shop in the late 1970's.

Formal pre-application planning advice was given in October 2018 for the change of use from a restaurant to two residential cottages. The advice given concluded that were an application for planning permission to be submitted it would be likely to be approved subject to:

- (a) There being no harm to the Conservation Area of the locally listed building itself;
- (b) The proposal not generating parking over and above what the current use would have required; and
- (c) Compliance with the internal space standards.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Felpham Parish Council

"No objection"

No letters from local residents.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

## CONSULTATIONS

Economic Regeneration

Environmental Health

Conservation Officer

### CONSULTATION RESPONSES RECEIVED:

ADC ECONOMIC REGENERATION - State that they are aware of the long period of marketing for this property and on the basis of the lack of interest and withdrawn offers, they have no objection to this application.

ADC CONSERVATION OFFICER - Comments set out in full on the website. However, in summary raise the following points:

- Ye Olde Malt House, Waterloo Road is a two storey, terraced property with rendered elevations, a modern shop front on the ground floor and two sash windows on the first floor;
- The ground floor is currently used as a restaurant however, historically, the building was used as two separate residential units;
- The proposal will involve the loss of the shop front;
- Whilst the concept of the change of use is unfortunate, it will not harm the established character of the

conservation area; this part is already predominantly residential in character;

- Whilst the use of sliding sash windows is supported (it is assumed that the existing ones will remain), the proposed front doors are considered to be problematic in that they are not of a design which is suitable for a conservation area. It is suggested that a more traditional design be used;
- The development offers the opportunity to enhance the character of the building (and therefore the area), and it is considered that the doors fail to achieve this aim. This could be resolved by a condition;
- The loss of the shop front would result in the loss of an attractive feature on the street-scene, as well as a reference point to a previous use;
- If the shop front is to be removed, the replacement elevation should reflect the buildings in the local area;
- The provision of a second window on the ground floor (front elevation) is in conflict with the established character of the properties in the immediate surroundings;
- At present these neighbouring properties consists of one window over another one;
- The loss of the small rear extension is not considered to harm the character of the building, or the local area;

If minded to approve the application please provide details and colour of the joinery;

- The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 196 of the NPPF (2018). As such, you will also need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended); and
- For your information, the Planning Practice Guidance states that public benefits include:
  - sustaining or enhancing the significance of a heritage asset and the contribution of its setting
  - reducing or removing risks to a heritage asset
  - securing the optimum viable use of a heritage asset in support of its long term conservation.

ADC ENVIRONMENTAL HEALTH - No response received.

CONSERVATION AREA ADVISORY COMMITTEE (CAAC) - Object with the following comment:

"A more comprehensive heritage statement is required. The fenestration needs to be reconsidered and possible should match the adjoining buildings to the south. Total of 4 windows rather than six windows. Modern doors with fixed fan lights are not appropriate to the building or the conservation area and should be replaced with painted 4 panel doors. Proposed ground floor windows could be deeper and the windows need to be sat back such that the reveals match the reveals of the windows on first floor level. If the council are minded to approve the application then a condition on the planning consent is needed to remove permitted development rights given the prominent location within a conservation area."

## COMMENTS ON CONSULTATION RESPONSES:

The applicant has amended the front elevation removing the two new additional ground floor front windows. A front door specification has also been provided, however the Conservation Officer has informally raised concern with the design, therefore this will be considered separately through the condition discharge process.

The comments of CAAC are noted and will be referenced in the conclusions. However, it is not considered appropriate to remove permitted development rights as this building was originally in use as two houses and also there are other constraints (extent of curtilage/Conservation Area) that limit what could be achieved under permitted development rights.

Designations applicable to site:

Within the Built Up Area Boundary;  
 Felpham Conservation Area;  
 Building of Character;  
 Within 2km of Bognor Reef and Felpham SSSI's; and  
 No Public Sewer.

## 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                                                |
| ECCSP2 | ECC SP2 Energy and climate change mitigation                |
| HERDM2 | HER DM2 Locally Listed Buildings or Structures of Character |
| HERDM3 | HER DM3 Conservation Areas                                  |
| HERSP1 | HER SP1 The Historic Environment                            |
| HSP1   | HSP1 Housing allocation the housing requirement             |
| QEDM1  | QE DM1 Noise Pollution                                      |
| QESP1  | QE SP1 Quality of the Environment                           |
| SDSP1  | SD SP1 Sustainable Development                              |
| SDSP2  | SD SP2 Built-up Area Boundary                               |
| TSP1   | T SP1 Transport and Development                             |

|                                                    |                                             |
|----------------------------------------------------|---------------------------------------------|
| <u>Felpham Neighbourhood Plan 2014 POLICY ESD1</u> | Design of new development                   |
| Felpham Neighbourhood Plan 2014 POLICY ESD6        | Retain buildings or structures of character |
| Felpham Neighbourhood Plan 2014 POLICY ESD7        | Felpham conservation area                   |
| Felpham Neighbourhood plan 2014 POLICY BT4         | Retail premises                             |

## 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.

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.

The relevant policies of the Felpham Neighbourhood Development Plan are considered within this determination.

#### **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 not cause demonstrable harm to the character of the area, to the character and special qualities of the heritage assets, to the safety of the highway or to the amenities of neighbouring residents.

#### **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 development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan covering such issues as character/design, heritage assets, residential amenity, space standards and highway safety/parking.

Policy SD SP1 of the ALP states: "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 (NPPF)."

The application site lies within Felpham which is itself part of the wider settlement (and built up area) of Bognor Regis and there are various local amenities, shops and services within walking distance of the site along street lit footways. It is therefore considered that the proposal is environmentally sustainable as residents will not need to rely on the private car to access basic services & facilities.

NPPF para 118(d) states "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing". Furthermore, para 123 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. Higher densities will be encouraged for city/town centres and other locations that are well served by public transport. The Council is currently unable to demonstrate a 5 year Housing Land Supply (HLS) and the proposed site density of the converted building is almost 170 dwellings per hectare.

The proposal accords with SD SP1 and SD SP2 of the Arun Local Plan and with the guidance in the

NPPF on the efficient use of land. However, this does not automatically imply that permission should be granted and it also necessary to consider whether there is any harm that will arise from this development.

#### **LOSS OF THE RESTAURANT USE:**

The proposed residential conversion will result in the loss of existing commercial restaurant premises on the ground floor of the building. ALP policy RET DM1 states that change of use from retail will not be allowed for shops located outside of the defined Town Centres and Local Service centres but that an exception may be made where it can be demonstrated that retailing is no longer a viable use, particularly where the premises have remained vacant for a long period and where reasonable attempts have been made to market the premises for retail purposes. Furthermore, policy BT4 of the Felpham Neighbourhood Development Plan (FNDP) states that: "Development proposals involving changes of use of ground floor premises from retail to non retail uses will only be permitted where it can be shown that the development would not harm the vitality of local shopping facilities or the amenities of the area."

The property is not a shop and is not in a retail use. However, the principles set out in this policy regarding the loss of commercial uses have nonetheless been applied. The applicant has supplied an Economic Development Statement which states that the property has been on the market since Jan 2016 with two different agents. Only 3 offers have been received in this time but all were then withdrawn. There have been no viewings since Dec 2016. The current owner has stated that the current poor turn-over of the business has contributed to the lack of interest. It is also considered that competition from the popular local public house, situated directly opposite to the Malthouse Restaurant, along with a lack of parking are also factors which make the restaurant unattractive to potential investors.

The Councils Economic Development Officers are supportive of the current state of the business. They state that they are aware of the long period of marketing for this property and on the basis of the lack of interest and withdrawn offers, they raise no objection to this change of use.

It is considered that as neighbouring properties are in residential use, the conversion will not affect the vitality of a retail area and that the change is likely to benefit the amenities of the area in that there will no longer be any need for kitchen extraction systems and therefore no associated potential noise or odour pollution.

It is therefore considered that the proposal will be in accordance with the relevant development plan policies.

#### **HERITAGE ASSETS**

The property lies within the Felpham Conservation Area (a designated heritage asset). It is also a locally listed Building of Character ( a non-designated heritage asset)

Relevant Local Plan policies are HER DM2 (Locally Listed Buildings or Structures of Character) and HER DM3 (Conservation Areas). Policy HER DM2 states that proposals for the alteration or extension of buildings on the Local List will be expected to relate sensitively to the building or structure and its setting and respect its architectural, landscape or historic interest. It is also states that features of such buildings which contribute to that interest should be preserved. Policy HER DM3 lists criteria for proposals affecting the setting of a Conservation Area. The relevant criteria are as follows:

(b) Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area;

- (c) Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored;
- (d) Unsympathetic features are removed and missing features are restored or reinstated; and
- (f) It does not harm important views into, out of or within the Conservation Area.

FNDP policies ESD6 & ESD7 are also relevant. Policy ESD6 states that development proposals will be expected to retain or enhance the local distinctiveness of the building and that the removal of part or all of them will not be permitted unless it can be demonstrated that they cannot be put to a beneficial or viable use. Policy ESD7 simply states that proposals in conservation areas will be dealt with in accordance with ALP policy HER DM3.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

It is also necessary to consider the policy guidance within the National Planning Policy Framework (NPPF) which sets out several steps when considering the impact on heritage assets. Para 189 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 190 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in paras 193-196).

The applicants have provided a Heritage Statement which does provide information in accordance with the relevant paragraphs of the NPPF 2019 as described above. The Statement states that the retention of the shopfront was considered but it was not possible to do this due to the need to ensure that the new ground floor of the new dwellings had privacy and also due to energy conservation considerations. The Statement also notes that the building was originally (pre 1931) 2 separate cottages and that therefore, the current design proposals would re-establish the original street scene.

The Councils Conservation Officer has assessed this proposal and the comments provided are set out in full on the Councils website and summarised above within the "Summary of Consultation Responses". In short, the Conservation Officer considers that the proposal will result in harm to the designated heritage assets but that the level of harm is less than substantial. Therefore, para 196 of the NPPF is brought into play. This states that: "this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

According to the Planning Practice Guidance, such benefits should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, they do not always have to be visible or accessible to the public to be genuine public benefits. Public benefits may also include sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing risks to a heritage asset and securing the optimum viable use of a heritage asset in support of its long term conservation.

It is considered in this case that the proposal will result in the following public benefits:

- Provide one additional small housing unit with associated small scale social & economic benefits;
- Removal of a potentially non-conforming use within a predominantly residential area with resultant amenity benefits; and

- Restoration of the historic land use and character of the plot.

It is acknowledged that the proposal will demolish part of the rear of the building. However, these changes will not be visible from the street scene and this is necessary in order to provide the new dwellings with amenity space. Also, it has been demonstrated elsewhere in this report that there is no interest in the existing use of the building. Therefore, the demolition works will facilitate an alternative use and secure the long term retention of the asset. The loss of the shop front is regrettable however, as noted elsewhere it is not an original feature and the building was originally two residential cottages.

The proposal is therefore considered to comply with the guidance in the NPPF, with policies HER DM2 and HER DM3 of the ALP, with policies ESD6 & 7 of the FNDP and with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### PARKING REQUIREMENTS:

Policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states: "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

Paragraph 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which 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."

The proposal makes no changes to the highway and provides no off-street parking. Instead parking will be accommodated on-street which is the same as for the existing restaurant/dwelling use. As according to the West Sussex Parking Demand Calculator, the likely parking demand for the proposal would be 2 spaces. However, the parking requirement of a ground floor restaurant, according to the West Sussex Standards 2003, would be a maximum of 9 spaces. There would then be a requirement to factor in the parking needs of the upstairs flat. Therefore, it is quite clear that the parking needs of the new residential use will be much lower than those of the current use.

It is also material that the site is in a sustainable location and residents will not need access to a private car to be able to access basic shops or services. Furthermore, there are bus routes nearby allowing access into Bognor Regis. A condition will be imposed to require secure cycle storage for each dwelling.

It is considered that the nil parking provision is acceptable in this case and that therefore, the proposal complies with the NPPF and the relevant policies of the development plan.

#### OTHER DESIGN CONSIDERATIONS:

Policy D DM1 of the Arun Local Plan requires that the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. In terms of density, D DM1

requires that housing makes 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. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

FNDP policy ESD1 states that "New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location."

The application proposes the demolition of parts of the rear of the building and some fenestration changes. These have already been considered above with regard to heritage and it is not considered that the changes will adversely affect the general character of the area or the streetscene. A condition will be imposed to secure details of all new joinery (windows and doors) to ensure they are of a suitable style and design/material. The proposal therefore complies with ALP policies D DM1 & D SP1 and with FNDP policy ESD1.

#### RESIDENTIAL AMENITY:

Policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy D DM4 requires that extensions/alterations: sympathetically do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Regard should be had to para 127 of the NPPF which states that developments should provide a high standard of residential amenity for existing and future users. Furthermore, ALP policy QE SP1 states: "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".

It is not considered that the changes will result in any harm to residential amenity. There are some new windows but these are to the front and rear and do not reduce any existing separation distances. The rear bathroom windows will be conditioned to be obscure glazed but these are both existing and one of them already serves a bathroom. Therefore, it would not be appropriate to also have these windows fixed shut.

It is also considered that the change of use could benefit existing adjoining residential properties in that the existing restaurant use may currently emit air/odour or noise pollution and this would no longer be the case.

The proposal therefore complies with policies D DM1, D DM4 and QE SP1.

#### INTERNAL & EXTERNAL SPACE STANDARDS:

Policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is therefore necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the building is suitable for residential use. Both of the dwellings have 2 bedrooms but flat 2 has a smaller second bedroom such that the space standard requirements are different. Flat 1 would be considered as a 2 bedroom 4 person dwelling and would require 70m<sup>2</sup> (74m<sup>2</sup> proposed) whilst flat 1 would be considered as a 2 bedroom, 3 person dwelling with a requirement of 61m<sup>2</sup> (64m<sup>2</sup> proposed). Therefore both comply with the standards.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to part replace D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until this Design Guide is published, there is no policy within the ALP regarding private gardens sizes. Para 127 of the NPPF states that planning decisions should ensure that developments have a high standard of amenity for existing and future users. The proposal includes rear part soft/part hard surfaced amenity space for each dwelling. This is considered to be acceptable.

The proposal therefore complies with policies D DM1 & D DM2 and with the guidance within the NPPF on amenity (para. 127).

**SUMMARY:**

There is no in principle objection to the change of use of this building and the creation of an additional dwelling. It is considered that there is some harm to the heritage assets but that this is acceptable given the extent of public benefits. The proposal complies with the other development control criteria concerning highway safety, character, residential amenity, parking and internal space standards. It is therefore recommended that the application be approved 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:

Location Plan, Block Plan ref AK-P-05;  
 Proposed Floor Plans ref AK-P-04 Rev 1;  
 Proposed Elevations ref AK-P-02 Rev 1;  
 Proposed Roof Plan ref AK-P-07;  
 Street Scene ref AK-P-08 Rev 1;  
 Bin Storage & Collection Plan ref AK-P-06; and  
 Drainage Plan ref AK-P-09.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1, QE SP1 and T SP1 of the Arun Local Plan.

- 3 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. Such approved cycle storage spaces shall thereafter be retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy T SP1 of the Arun Local Plan.

- 4 Neither of the approved dwellings shall be occupied unless and until details of the construction and materials of all new joinery (windows & doors) have been submitted to and approved by the Local Planning Authority and the new joinery so approved shall be constructed in accordance with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, the character and appearance of the Conservation Area and the Building of Character by endeavouring to achieve a building of visual quality in accordance with policies D DM1, HER DM2 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework.

- 5 No demolition or construction activities shall take place, other than between 08.00 to 18.00 hours (Monday to Friday) and 08.00 to 13.00 hours (Saturday) with no noisy working activities on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 6 The two rear first floor bathroom window shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the existing and future residential occupiers in accordance with policy D DM1 of the Arun Local Plan and with the National Planning Policy Framework.

- 7 **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.