

Recommendation Report for Planning Permission

REF NO: LU/101/26/PL

LOCATION: Court Wick Park
Courtwick Lane
Littlehampton
BN17 7PD

PROPOSAL: Internal and external alterations to building to facilitate conversion and change of use to a children's care home, reinforcement of brick and flint garden wall with buttresses and reconsolidate wall with coping courses. This application affects the setting of a listed building and is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site comprises a Grade II Listed Building with surrounding grounds, parking, access, and ancillary buildings. It's lawful use is a adult care facility, but is currently not in use. It is a mid-18th Century Farmhouse building that was later extended and converted. It is of historical and architectural significance.
CHARACTER OF LOCALITY	The site lies adjacent to another care facility (Strawberry Field) and two cottages to the southwest. The immediate area is semi-rural and features significant tree planting. The wider context includes a large residential estate alongside public park and sports facilities.

LU/102/26/L - This application pertains a listed building consent application associated with this proposed development.

LU/87/96/ - This application approved the change of use of the host property from a residential dwelling to its current lawful use as a care home for adults.

REPRESENTATIONS

Littlehampton Town Council - No objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

- Whilst the majority of the proposal is acceptable, the use of UPVC windows cannot be supported and need to be removed in order for a no harm opinion from a heritage perspective.
- Conditions suggested for fenestration details and a repointing sample.

WSSC Highways:

- Do not anticipate that the proposals would give rise to a material intensification of use.
- There is no evidence to suggest the existing access has been operating unsafely or that the proposals would exacerbate an existing safety concern.
- Vehicle parking arrangements will remain as existing.
- There appears to be sufficient space for staff and visitor car parking to be accommodated, with space for turning.
- The site is sustainably located, being well accessible on foot, by cycle and by public transport.
- Do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, and that there are no transport grounds to resist the proposal.

Environmental Health - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The use of UPVC windows has been omitted in favour of timber as suggested by the Conservation Officer. The details of which were supplied and discussed and agreed as acceptable with the Conservation Officer.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary.

TPO on site.

Grade II Listed Building.

Archaeological Notification Area.

Arun Valley Impact Risk Zone.

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

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM5	ENV DM5 Development and biodiversity
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings

TSP1 T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2

A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 preserves the character and amenity of the area, preserves the significance of the heritage asset, and provides sufficient amenity for its occupants.

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

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for Biodiversity Net Gain (BNG) under the de-minimis exemption.

CONCLUSIONS

PRINCIPLE

The site lies within the Built-up Area Boundary and is an established care home. The principle of development is accepted in accordance with Arun Local Plan (ALP) policy SD SP2 and Littlehampton Neighbourhood Development Plan (LNDP) policy 2. By virtue of compliance with LNDP policy 2 and that there are no other relevant policies within the LNDP, the proposal is in accordance with LNDP policy 1.

CHARACTER AND DESIGN

The proposal would not result in any significant difference in character as it would comprise a change of use of an existing care facility for adults, to a care home for children. Occupancy levels would reduce and overall, it would result in a less intensive use of the site.

The physical works to the building and its walls consist of general repair works and the replacement of inappropriate UPVC windows with ones of an appropriate, sympathetic design. It includes the introduction of supporting buttresses to preserve an existing, historic wall.

The works do not result in any increase in scale or bulk of the building and are in accordance with ALP policies D SP1, D DM1, and D DM4.

INTERNAL SPACE STANDARDS

ALP policy D DM2 states that the Local Planning Authority will require internal spaces to be an appropriate size (having regard to the exceptions that may apply, to meet the requirements of all occupants and their changing needs. It also identifies that the Nationally Described Space Standards (NDSS) will provide guidance.

The NDSS is not applicable to care homes and the site is a Grade II Listed Building. The Local Planning Authority also have no adopted space standards for care homes.

The proposal does not seek to alter the size of the existing care home bedrooms and the loss of any historic fabric would likely be resisted. ALP Paragraph 13.3.4 specifically identifies that compliance with all relevant standards may not be possible where a scheme relates to the conversion of an existing building, particularly a historic one. On the basis that the proposal is not altering the sizes of the existing care home bedrooms, and that the existing use as a care home has been operating without any known constraint as a result of the bedroom sizes, the rooms remain sufficient. It is noted that each are served by at least one window, and that facilities are shared.

The proposal is in accordance with ALP policies QE SP1 and D DM2.

ECOLOGY AND BIODIVERSITY

The proposal would not result in the loss of any on-site habitat and the Local Planning Authority have no evidence of protected species on site. The applicant has identified willingness to install two bird boxes on site as part of the works. Installing them on the Listed Building may be inappropriate, however, and so, given the nature and limited scale of the works, the Local Planning Authority are not requiring that the proposal introduces ecological enhancement features such as bird boxes, as part of this development.

While the proposal would not provide a net gain in biodiversity on site, the proposal has no ecological impacts on any significance and is otherwise in accordance with ALP policy ENV DM5.

The site falls in the Arun Valley Impact Risk Zone, but as the proposal is primarily repairs and a change of use to a comparable use, there are no identified impacts on Bewick Swans, their foraging habitat, and as aforementioned, the Local Planning Authority have no other evidence of protected species on site. The proposal is in accordance with ALP policies ENV SP1 and ENV DM1.

TRANSPORT AND PARKING

The proposal seeks the change of use from a care home for adults with fifteen bedrooms to a care home for children with ten bedrooms. The site benefits from parking to the east of the main building and additional parking to the south of the main building, in front of the adjacent garage, totalling twelve parking spaces.

The Arun Parking Standards sets out that parking demand for C2 uses will be determined on a case-by-case basis.

The site has a lawful use as a care home but the existing parking pressures for the site are unknown. However, the level of occupancy and likelihood of residents/employees requiring parking spaces on site would reduce as a result of this proposal. The application form identifies that the proposal would generate ten full-time equivalent jobs. This would likely operate in shift patterns, but in any event, 12 parking spaces would be sufficient to accommodate this demand, alongside additional parking availability for visitors. Additionally, on-street parking is available in nearby streets.

The proposal identifies that the site has a number of outbuildings and a garage capable of accommodating any resultant bicycle parking demand the site.

The Arun Parking Standards sets out that for New Developments (including conversions) 'Other Developments' with < 50 parking spaces should have one parking bay marked out for use by electric vehicles only, together with charging infrastructure and cabling. While the proposal is a conversion, it is not a 'New Development', it would remain a care home, albeit for residents of a different type. As such, it is not concluded to be appropriate to require the provision of an electric vehicle charging point in this instance.

WSCC Highways have raised no objections to this proposal, noting its relatively sustainable location, sufficient parking, space for manoeuvring, and overall safety.

The proposal is in accordance with ALP policy T SP1.

HERITAGE

The applicant has submitted an accurate Heritage Statement in accordance with NPPF Paragraph.

Courtwick Park is a Grade II listed mid-18th century farmhouse, extended in the 19th century and converted to a residential care home in 1996. It is a two- to three-storey, L-shaped building with attic and basement, comprising perpendicular north and south wings.

The north elevation forms the original frontage, characterised by grey header-bond brickwork with red brick quoins, dressings, string course, and modillion eaves cornice. It features a central stepped entrance with a classical porch, timber six-panel double doors, sash windows, and two flat-roofed dormers in a slate roof.

The south wing is predominantly red brick and, although uniform in external height, has split internal floor levels. Its fenestrations are irregular in type, scale, material, and placement, with some being unsympathetic to the building's listed status as they consist of UPVC.

The building's significance derives from its architectural and historic interest.

The proposal includes several internal and external alterations and general repairs to the building to facilitate the conversion and change of use of the building to a children's care home, alongside the reinforcement of a brick and flint garden wall with buttresses and reconsolidation with coping courses.

The conversion largely utilises existing internal and external alterations that were made to the building in the past, thereby minimising further loss of historic fabric. The insertion of a new staircase at second floor would result in the loss of a small section of historic ceiling; however, the original staircase is unsuitable for the proposed use and would be retained in situ.

The proposal includes the replacement of a several unsympathetic UPVC windows along the southern and western elevations with slim-line double-glazed timber sash windows. Which is positive and restores and enhances the significance of the building.

The works in question have been reviewed by the Conservation Officer, and following revision, it has been concluded that the proposed works would not result in any harm to the significance of the Listed Building. Originally, the proposal sought to replace the UPVC windows with new UPVC windows of a more sympathetic (though still unsupportable) design. The revision secured with the applicant ensures that the replacement windows would be timber sash windows of an appropriate design rather than UPVC, ensuring they are appropriate for this sensitive heritage context.

Conditions have been attached to the associated Listed Building Consent application to secure a sample panel of the repointing works proposed and that the painting of windows is to be undertaken with white/off-white paint as proposed. This has been agreed as acceptable with the Conservation Officer.

Subject to the above-mentioned conditions, the proposal has no harm on the significance of the Listed Building, and as such, the proposal is in accordance with ALP policies HER SP1 and HER DM1, and the NPPF.

SUMMARY

The proposal is in accordance with the relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

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 2601CO_000, 01.
- Block Plan Block Plan 2601CO_001 000.
- Existing and Proposed South Elevation 2601CO_203, 01.
- Existing and Proposed West Elevation 2601CO_201, 01.
- Existing and Proposed East Elevation 2601CO_200.
- Existing and Proposed North Elevation 2601CO_202.
- Existing and Proposed Basement Plan 2601CO_100.
- Existing and Proposed Ground Floor Plan 2601CO_101.
- Existing and Proposed First Floor Plan 2601CO_102.
- Existing and Proposed Second Floor Plan . 2601CO_103.
- Proposed Fenestration Details 2601CO_300, 02.
- Proposed Buttress Detail 2601CO_302.

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

- 3 The building shall be used as a residential care home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun Local Plan policies D DM1, T SP1, QE DM1, QE DM2.

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.