

Recommendation Report for Planning Permission

REF NO: LU/120/21/HH

LOCATION: Wilbury House, Flat 9
45 Beach Road
Littlehampton
BN17 5JG

PROPOSAL: Replace balcony door and surrounding cladding

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to replace balcony door and surrounding cladding to Flat 9, Wilbury House.

RELEVANT SITE HISTORY

LU/332/11/	Proposed replacement windows & door	ApproveConditionally 04-01-12
LU/95/97	Construction of aviary in private rear garden	Approve 23-05-97
LU/366/17/T	Shorten the lateral spread of 1No. Pine tree in a balanced manner up to half the height of the tree (7.5m from ground) by a maximum of 1.5m all round. Shorten the lateral spread from 7.5m above ground up to the trees full height (of 15m) by 1m maximum.	ApproveConditionally 17-01-18

REPRESENTATIONS

Littlehampton Town Council - No Objection.

No representations received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Built-Up Area Boundary
 Tree Preservation Orders
 Areas of Character
 Locally Listed Building / Structure of Character

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

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:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

The key policies are D DM1, D DM4 and HER DM4 of the Arun Local Plan.

Littlehampton has a made Neighbourhood Development Plan with Policy 17 being relevant to this application.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HER DM4 sets out criteria for applications in Areas of Character. It states the retention of buildings and other features that make a positive contribution to the special character of an area, the maintenance of an appropriate mix of uses where this is an important element in the character of an area and new development should preserve, and where possible, enhance the special character of these areas

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable.

Policy 17 of the Littlehampton Neighbourhood Development Plan states that it identifies the properties in

Appendix 4 of the Plan as locally important heritage assets and the effect of a planning application proposal on the significance of these non-designated heritage assets will be taken into account in determining the application.

Guidance from the Arun Design Guide is also relevant and stated below.

DESIGN AND VISUAL AMENITY

The property is a detached three storey building divided into 10 self contained flats to the east of Beech Road. The building has red brick elevations with hanging tiles to the gables. Gable red tiled roof with dormers both flat and pitch roof to the sides and rear elevations. Hard-standing/parking area to the front (west) and rear (east).

The proposals are to replace balcony door and surrounding cladding to Flat 9.

Due to the siting of Flat 9 on second floor at front (west) of the building, the proposals will be highly visible from street scene and surrounding area of character.

The elevation cladding to Flat 9 is red tiled overhangs with white fascia roof surrounds and a white balcony railing. There is a white UPVC sliding door with wooden flashing detail in a poor state of disrepair.

The proposed cladding materials will be Hardie Plank in Artic White colour to replace the red tile hanging to front elevation and a new white UPVC sliding door with celotex insulation and a breather membrane. Whilst the cladding is not visually in-keeping with existing building red tile cladding, the building does have a mix of white roof fascia surrounds and UPVC windows already so there is less than substantial harm caused. The UPVC sliding doors to replace existing will not adversely harm the street scene or surrounding Area of Character so will comply with policy D DM1 and policy HER DM4 of the Arun Local Plan and policy 17 of the Littlehampton Neighbourhood Development Plan.

Arun recently adopted a Design Guide. It states that materials should be natural, sustainable and locally sourced wherever possible. It states that a simple palette of robust materials should be used that relate to the surrounding context in the design of buildings and the public realm. It also states that it has regard to relevant Areas of Character Guidance to ensure that materials and detailing respect their heritage context. The proposed materials whilst different to existing clay tiles, will not adversely impact Area of Character so are acceptable. It also states that cladding materials must adhere to Building Regulations on flammability.

Whilst the cladding materials does not match the existing cladding materials, the use of Hardie Plank cladding in Artic White colour will not adversely impact the existing character of surrounding area so is acceptable and complies with policy D DM1 and HER DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 and Block Plans AW/PL/02
Plans - Elevations and Floor Plan and Photographs
Photographs - Proposed Cladding materials in a Hardie weatherboard in Artic White Colour as per photographs and plans

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.
- 3 **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.