

Recommendation Report for Planning Permission

REF NO: LU/124/17/PL

LOCATION: 85 South Terrace
Littlehampton

PROPOSAL: Demolition of existing single storey rear extension and erection of 1.5 storey mono pitched extension to provide enlarged owners accommodation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposal includes a rear 1.5 storey extension and internal alterations to provide improved owners accommodation within the Guest House.

Currently the owners reside in the rear of the property with a limited number of rooms. They have 2 living spaces/bedrooms, a small additional office space off the bedroom on the Ground Floor and kitchen. There is no main bathroom to their accommodation only ensembles to the bedroom areas.

The proposal is to remove an existing block built flat roofed outside room used as a laundry room and replace with a new fully integral 1.5 storey extension housing a new bedroom area. The current Living/ bedroom areas would then be converted to a bathroom and lounge.

The rear extension adds 13.1Sq.m to the area of the accommodation on the lower ground floor at the rear. It would have a sloping roof rising from 2.9m to 5.1m with a floor area of

SITE AREA

Approximately 220 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat.

BOUNDARY TREATMENT

Dwarf wall to front of site. The rear garden is enclosed by an approximately 2 metre high brick wall with ivy over.

SITE CHARACTERISTICS

The site is occupied by a four-storey terraced building which has red brick and pebble-dash elevation walls and a tiled, pitched roof. It has been identified, for the purpose of Local Planning Policy, as a building of special character. It is currently in use as a bed &

breakfast and there is signage to the front advertising this. To the rear there is a single-storey flat roof extension.

CHARACTER OF LOCALITY

The site is located on a section of road which is characterised by terraces of three and four-storey buildings, many of which are occupied by bed & breakfast operations. The buildings face towards an open green space and the beach. To the rear are walled amenity spaces and many of the buildings have had rear extensions added.

RELEVANT SITE HISTORY

LU/285/10/CLP	Application for lawful development certificate for a proposed use to remove fire escape staircase from rear of the property	PP Not Required 10-12-2010
LU/251/12/	To Create one self catering holiday flat on lower ground floor	Withdrawn 16-01-2013
LU/31/77	External staircase & minor alterations	ApproveConditionally 23-02-1977

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Environment Agency

Consultations responses received:

Environment Agency - The Environment Agency has no objection to this application.

The proposed development falls within Flood Zone 3 as defined in table 1 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and is therefore at risk of flooding. The proposals submitted however indicate that there are already 3 existing bedrooms within the existing basement/lower ground floor. The proposed modifications will not result in an overall increase and in fact the bedrooms on the ground floor will be reduced from 2 to 1 therefore slightly reducing the risk.

Advice to Local Planning Authority/Applicant

It should be noted that the Flood Risk Assessment (FRA) submitted with this application has been based on a defended scenario and not that of an undefended scenario, therefore residual risk from defence overtopping or failure should be borne in mind. With this in mind we

would recommend that a Flood Plan is produced so as occupants know what actions to take in a severe flood situation. This should be agreed in consultation with emergency planners at the Local Authority.

Enrolment with the Environment Agency's Flood Warning Service is also recommended

Comments on Consultation responses:

- comments noted

POLICY CONTEXT

Designation applicable to site: Built-up area boundary

Building of Special Character

Class C Road

Flood-zone 3

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN22</u>	Buildings or Structures of Character
	<u>GEN7</u>	The Form of New Development
	<u>GEN10</u>	Tidal Flooding and Coastal Defence
	<u>GEN11</u>	Inland Flooding
	<u>GEN12</u>	Parking in New Development
	<u>GEN32</u>	Noise Pollution
	<u>DEV19</u>	Extensions to existing residential buildings
		W DM2 Flood Risk
		D DM1 Aspects of Form and Design Quality
Publication Version of the Local Plan (October 2014):		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		HER DM2 Locally Listed Buildings or Structures of Character
		HER SP1 The Historic Environment
		QE DM1 Noise Pollution
		TOU DM1 Tourism Related Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

There are not considered to be any policies in Littlehampton Neighbourhood Plan which specifically relate to this particular type of development.

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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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 is located within the built-up area boundary where extensions will be supported provided that any proposal is appropriate to the character of the area and in terms of residential amenity. The proposal seeks permission for the extension of the owners accommodation in the guest house as such the principle would be acceptable.

FLOOD RISK

The site is located within Floodzone 3, therefore the building is already at risk of flooding. Whilst this is noted, given that the existing lower ground floor is used for residential accommodation already, the changes to the building are not likely to result in a more vulnerable use occurring. The Environment Agency have no objection.

AMENITY

The proposed works comprise a rear extension which is 2.8m deeper and 1.1m wider than the existing laundry room building it replaces. The existing incongruous laundry room will be removed to make way for the proposed extension. The proposed extension will be rendered a light colour as is the current laundry room; however the proposed extension will have a mono-pitched roof with large roof light to provide light to the new internal staircase. Tiles of a similar colour to the existing building are proposed to harmonise with the main buildings. A rear glazed wall on the extension will provide a modern feature. It would be of sympathetic design and proportions and would not be readily visible from the street scene and would have no materially adverse impact on the visual amenities and character of the area. It would be constructed of tiles and coloured render which would be in keeping with the existing property and ensure it is visually integrated with the host property. Accordingly the impact upon the visual amenity of the locality and the building noted for its special character is acceptable. The existing flat roofed laundry room is of no architectural merit.

In terms of the impact of the use upon neighbouring amenity, the extension would be located on both side boundaries and would be 2.9m high at eaves level and 5.1m at its highest point. It would be 1.8m from the eastern boundary and would be located adjacent to the western boundary.

No 84 has a flat roofed extension with terraced area above to the rear. No 86 has no extension to the rear and the original rear doorway immediately adjacent to the boundary has been bricked up. Whilst the extension would impinge slightly on the 45 degree rule it is not considered that the resulting overbearing impacts or loss of light would result in material harm to residential amenity. The proposal is considered to comply with policy DEV19 of Arun District Local Plan.

The proposal provides additional accommodation for the owners and would assist in maintaining the operation of the holiday accommodation within Littlehampton which is supported by tourism policies.

It is therefore recommended that the application be approved subject to the conditions below.

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

report

amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Proposed Elevations, Roof , Location and Block 16181/02 and Floor Plans 16181/02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The development permitted by this planning permission shall only be carried out once a Flood Plan has been produced so that occupants know what actions to take in a severe flood situation. This should be agreed in consultation with emergency planners at the Local Authority

Reason: To reduce the impact of flooding on the proposed development and future occupants in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

- 5 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.

- 6 INFORMATIVE: It should be noted that enrolment with the Environment Agency's Flood Warning Service is recommended by the Environment Agency.