

Recommendation Report for Planning Permission

REF NO: LU/131/20/PL

LOCATION: Rear of 15 South Terrace
Littlehampton
BN17 5NZ

PROPOSAL: Creation of a holiday cottage by demolishing garage & extending workshop. This application affects the character & appearance of the Littlehampton Sea Front Conservation Area & may affect the setting of listed buildings. This application is not CIL Liable as all other development (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of a building 8.65 metres long by 4.3 metres wide and the addition of an extension 5.4 metres long by 3.65 metres wide following the demolition of a garage to create a self contained studio flat.
SITE AREA	85.2 sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	2 metre close boarded fences.
SITE CHARACTERISTICS	The site consists of an outbuilding and a garage at the rear of 15 South Terrace.
CHARACTER OF LOCALITY	A residential area in the Conservation Area.

REPRESENTATIONS

Littlehampton Town Council
No objection.

23 letters of objection:

- Overdevelopment of the site.
- Undue noise and air pollution.
- Lack of parking and inadequate vehicular access.
- Modern design out of character in historic area.
- Wood burning stove inappropriate in its location and would cause pollution.

COMMENTS ON REPRESENTATIONS RECEIVED:

All relevant planning related comments addressed in conclusions section.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - On balance, the application is considered to not cause harm to the significance of the heritage assets or their setting. Full version of comments available to view on the web site.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

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
HERDM3	HER DM3 Conservation Areas
HERDM1	HER DM1 Listed Buildings

[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:

SPD3	Parking Standards
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan, 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.

Policies 1 and 2 of the Littlehampton Neighbourhood Development Plan are considered relevant to this application.

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 the design of the new property would be acceptable within a Conservation Area/in the setting of listed buildings and no unacceptable adverse impacts on residential amenity would occur.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site is located within the built up area boundary where the principle of development is acceptable subject to other relevant development plan policy which in this case include policies D DM1, HER DM1 and HER DM3 of the Arun Local Plan and policies 1 and 2 of the Littlehampton Neighbourhood Plan.

DESIGN

The design of the property is intended to be a modern design using wooden boards and UPVC French doors opening onto a courtyard. The plan is to retain some of the original features of the 'Chapel' including the external walls. The height and scale of the building would largely match that of the existing garage and 'Chapel', maintaining the character and appearance of the area in terms of bulk and footprint of proposed development.

The proposal would be considered to accord with policies D SP1, D DM1 and D DM4 of the Arun Local Plan with respect to design and the proposals impact on the character and appearance of the area.

RESIDENTIAL AMENITY

The proposal is not considered to adversely affect the residential amenity of any neighbouring properties. The amount of new development would result in a reduction in existing footprint meaning that the proposal would not constitute an overbearing overdevelopment of the site.

The Chapel would just have its walls renovated where it faces out towards other properties with no new windows being inserted. The extension would be located within a fenced area and would provide a reasonable level of residential amenity to both neighbouring properties and to the occupiers of the new dwelling.

The proposal is considered to accord with policies D DM1 and D DM4 of the Arun Local Plan with respect to residential amenity.

SPACE STANDARDS

The proposal accords with the Nationally Described Space Standards. This requires a minimum gross internal floor area of 50 m² for a single storey 1 bedroom 2 person dwelling. The sizes of the flat would be 57 sq.m..

There is limited open space with the dwelling in the form of a courtyard however there is significant open space nearby with easy and near access to the beach. The property will be conditioned to be a holiday let only which would require less open space as it would not be a permanent dwelling.

PARKING

No parking spaces have been provided with the dwelling. Arun Parking Standards Supplementary Planning Document requires 2 car parking spaces be provided for such a development. However, as a holiday let the demand for parking would not be as great as a permanent dwelling and in a location with

good bus and train links in Littlehampton Town Centre the shortfall is considered acceptable.

HERITAGE

Para. 189 of the National Planning Policy Framework (NPPF) requires that a heritage statement be supplied in the event of an application affecting heritage assets which the applicants have done. The application therefore falls to be assessed against para 130 of the NPPF. The scheme is considered to minimise conflict between the Listed Buildings, and the Conservation Area given that it is hidden behind a fence to the rear of the road frontages of the site.

The new development has been assessed by the Conservation Officer who has concluded that the development would have a neutral impact on the Conservation Area. Under para 197 of the NPPF it is considered on balance that the scheme would not cause any harm or loss to the Conservation Area or Listed Buildings.

CONCLUSION

The proposed scheme is considered to accord with the Arun Local Plan and national policy within the National Planning Policy Framework in that there is no parking provided with the scheme and 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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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:
Proposed Floor Plan dwg.no. 2536/01/02 dated Feb 2020
Plans and elevations proposed dwg.no. 2536/01/01 dated Feb 2020
Block Plan received 02/06/2020

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

- 3 Notwithstanding the provisions of Part C, Class C3 Dwelling House to the Schedule of the Town and Country Planning (Use Classes) Order 1987, (or any order revoking or re-enacting that Order), the premises shall be used for the purpose of holiday accommodation only and for no other purpose, including any other purpose within Class C3 of the Order, without the prior permission of the Local Planning Authority. The property shall not be occupied by any persons for a total period exceeding 28 days. The owner shall maintain a register of occupiers for each calendar year which shall include:
1)The full names, occupation, permanent address and contact telephone numbers of all of the person(s) occupying the premises; and
2)The start and end date of the stay and the purpose of the stay.
It shall be made available for inspection by the Local Planning Authority at any time, and a copy of the register shall be supplied to the Local Planning Authority at the end of each calendar year.

Reason: To prevent the site being occupied by a dwelling providing permanent residential accommodation and thereby protect residential amenities and impact on street car parking in accordance with policies D DM1 and T SP1 of the Arun Local Plan.

- 4 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.