Recommendation Report for Planning Permission

REF NO: **LU/132/12/**

LOCATION: 68 Arundel Road
Littlehampton

PROPOSAL: Change of use from care home (Residential institution C2) to dwelling (C3 Dwelling houses)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application seeks a formal change of use of a building last used as a care home (C2) 'Chippers Care Home' to a single family dwellinghouse (C3). No building operations are proposed in connection with this change of use.
SITE AREA	Approximately 250 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	2/3 storey semidetached property situated on the eastern side of Arundel Road some 50 metres north of its junction with York Road. This is a red painted brickwork structure under a plain clay tile roof which has the benefit of parking to the rear.
CHARACTER OF LOCALITY	Predominantly residential area with a mix of property types and styles.

RELEVANT SITE HISTORY

LU/42/92	Alterations and extensions to improve residents accommodation on first floor and improve,extend owners living accommodation on second floor.	Approve Conditionaly 25-03-1992

Noted.

REPRESENTATIONS

Representations received:
Littlehampton Town Council

raise no objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

The emerging Local Plan has recently been approved as a consultation document by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the fomal adoption process as a whole and it therefore carries very limited weight in terms of decision making at this stage.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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

As the site is located within the Built Up Area boundary there is no objection in principle to the use of the property for C3 residential use. Whilst former policy DEV20 supported both new care homes and their extensions in principle there is no policy provision within the Development Plan which seeks to retain such uses.

The proposed use is clearly compatible with the location of the site which is in a sustainable location and has the benefit of off street parking.

There is therefore no land use objection to a reversion to residential use which will be most likely to result in a less intensive use of the existing building. As a result there is no sustainabel objection in terms of impacts on residentail amenity.

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

HUMAN RIGHTS ACT

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 for 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 neutral 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).

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: 1:1250 location plan, floor plan.

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

3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2 GEN7

NATIONAL POLICIES: NPPF

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.