

Recommendation Report for Planning Permission

REF NO:	LU/134/21/PL
LOCATION:	The Farm 39 East Street Littlehampton BN17 6AU
PROPOSAL:	Subdivision of a single listed building into 2 No. separate dwellings & essential roof strengthening work. This site may affect the setting of listed buildings, affects the character & appearance of the East Street Conservation Area & is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks planning permission for the subdivision of a single listed building into two separate dwellings (1 x 2 bed and 1 x 3 bed) & essential roof strengthening work. The subdivision of the building will also require further alterations to the physical fabric of the building, such as the blocking up of existing openings, creation of new openings for doors, additional internal doors and the addition of a new second staircase. Externally the proposal does not involve significant alterations and consists; an additional front entrance door and porch to the eastern elevation, an additional rear porch to the western elevation, replacement of some modern windows with more traditional style windows, a small black painted flue to roof and addition of iron and roof tile bathroom vent/grilles.
SITE CHARACTERISTICS	The Farm is a Grade II Listed Building. It is two storeys and consists of two parallel ranges, with the front elevation fronting on to East Street. The walls of the front east elevation are predominantly flint with brick quoins around the windows and doors and are used to form the corners. The windows are a mixture of casements with leaded lights as well as some modern Crittel types. The front door is centrally situated with a timber porch with clay tile roof. The rear elevation facing west is largely rendered as is the south elevation. The back door has an enclosed lean-to porch. The main roof is clay tiled and has three chimney stacks. The house has developed in many stages, as best evidenced through the eastern elevation, where the oldest part of the house is clearly different in appearance from the later developments on both the northern and southern sides. Both the farm house and the associated farm buildings form a farm complex with a strong vernacular character and form. Vehicular access to the farm complex and building is from

Franciscan Way and there is a parking area to the rear/west of the property. There is a lawned and paved garden area to the front/east of the property with flint and flint wall and timber post boundary treatment.

CHARACTER OF LOCALITY

The site is within the East Street Conservation Area, which contains significant groups of listed buildings which form an important intact collection illustrating a key historic development phase of the town which has otherwise been subject to large areas of piecemeal re-development.

The special character and appearance of the area largely derives from the great variety in age, style, form, function and materials of the buildings. The area is characterised by significant lengths of flint boundary walling, whilst landscaping, including mature trees, enhance and unify the area and chimneys are important features of the skyline. The Conservation Area includes a number of listed Buildings and non-designated heritage assets.

REPRESENTATIONS

Littlehampton Town Council - no objection. Initial objection based on lack of Council Conservation Officer comments and potential impact on listed building. Objection then withdrawn on basis of Conservation Officer comments added on file.

Arun District Council Conservation Area Advisory Panel -

No objection in terms of the effect on the character and appearance of the conservation area only, the proposed external alterations and extensions are modest in scale and there should be no adverse impact. However, precise details of the materials, design, and opening mechanism of the proposed new window on the north elevation of the building should be submitted to the Council. So, too, should details of the materials, finishes and detailing of the proposed rear extension and front porch.

One letter of objection was received, summarised as follows:

- Building is listed and should be kept as one dwelling as subdivision will harm the building.
- Subdivision will result in over-occupation of the building.

One letter of comment was received, summarised as follows:

- Providing the project is closely overseen by the Conservation Officer, it will continue the evolution of this listed building at the heart of the town whilst improving its economic viability and the incentive to look after the building.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

Planning conditions will be added to secure details of new window and porches.

Will not result in over-occupation, the property and grounds are of an adequate size in a town centre location/residential area, and car parking/outdoor amenity space will be provided for each dwelling. Council's Conservation Officer has confirmed no harm to listed building as a result of proposals.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

In general, the proposals have been carefully considered and prepared so as to follow conservation principles or minimise loss of fabric where change is required. It is considered that the alterations have the potential to enhance the listed building through the re-use of windows etc, ensure that the building is put in a good state of repair and appropriately maintained. On balance, the application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments, and taking account of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

Environmental Health Officer:

No comments received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in Conclusion section of report.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area Boundary

Grade 2 listed building

Conservation Area (East Street)

Part of the site within Flood Zones 2 & 3.

DEVELOPMENT PLAN POLICIES

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

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
SDSP2	SD SP2 Built-up Area Boundary
HSP1	HSP1 Housing allocation the housing requirement
QESP1	QE SP1 Quality of the Environment
WMDM1	WM DM1 Waste Management
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment

[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
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, 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.

The policies (policy 2) contained within the Littlehampton Neighbourhood Plan (made 2014) are relevant in the determination of this planning 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 D DM1, D DM2, HER SP1, HER DM1, HER DM3, WM DM1, T SP1, T DM1, W DM2, ENV DM4, ENV DM5 of the Arun Local Plan, policy 2 of the Littlehampton Neighbourhood Plan, and also complies with the relevant parts of the National Planning Policy Framework.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the significance or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

KEY ISSUES:

- Heritage/visual impacts on listed building and conservation area
- Provision of appropriate internal and external space, parking and refuse storage for future occupants
- Flooding and drainage impacts

HERITAGE

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires there to be special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and Section 71(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

ALP policy HER DM1 states any listed building proposal should preserve or enhance the historic character, qualities and special interest of the buildings; b. Be necessary and not detrimental to the architectural and historical integrity and detailing of a Listed Building's exterior; c. Protect the architectural and historical integrity and detailing of a Listed Building's interior; d. Protect the special interest of buildings of architectural or historic interest; and e. Protect, and where possible enhance the setting of the building.

ALP policy HER DM3 states that in order to preserve or enhance the character or appearance of the Conservation Area permission/consent will normally be granted where; (a) New buildings and structures acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings; b. Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area; c. Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored; d. Unsympathetic features are removed and missing features are restored or reinstated; e. It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges; f. It does not harm important views into, out of or within the Conservation Area.

Para 194 of the NPPF (2021) states that in determining applications, Local Planning Authorities (LPA) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Para 195 requires that LPAs should identify and assess the particular significance of any heritage asset which may be affected. Para 199 states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." In respect of less than substantial harm, para 202 states

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

A Heritage Statement has been submitted with the planning application, which describes the significance of the listed building and conservation area, as required by para 194 of the NPPF. The Heritage Statement is comprehensive, which has been of assistance with understanding not only how the building has developed and changed since it was originally constructed, but also in its assessment of the proposed development and its impact. The Heritage Statement identifies that the building's primary significance is as a 17th century farmhouse with a facade of high quality flintwork which is rare for such a modest building. The retention of many historic features, including those added in the 18th century, adds greatly to its special interest. Whilst the immediate setting of the buildings can be appreciated through the interrelating functions of the farm complex and the farmhouse, the wider setting has changed significantly. However, it is considered that the farm complex is still of architectural and historical significance. The Council's Conservation Officer has been consulted on the application and assessed the significance of the heritage assets in his comments, as required by NPPF para 195.

The Conservation Officer confirms that the form and internal layout of the building is such that it is considered possible to allow for such a change (subdivision) without requiring significant/large alterations to the built fabric of the building. The Heritage Statement takes a number of positive approaches to the conservation of historic fabric, which could otherwise be removed as part of the subdivision process. This includes the retention/re-use of existing traditional doors and door openings (through the use of an impression to express a former opening). It is positive to note that these recommendations are incorporated into the proposed floor plans and elevations. It is clear that little alteration is proposed on the ground floor as the existing floor plan allows for a clear and straight forward sub-division. At ground floor, it also is proposed to remove the existing modern tiled fireplace and replace it with a more traditional style fireplace to incorporate a larder. An addendum to the planning application (received 29/07/2021) confirms this proposal regarding the ground floor fireplace, and the Conservation Officer has confirmed they support this approach as it would result in an enhancement by removing a modern unaesthetically pleasing later addition and replacing it with something more traditional in appearance.

In terms of the first floor there would be greater intervention, which would require the creation of new openings for doors and the insertion of fire proofing details etc. However, all of the areas have been carefully considered with the historic environment in mind. For instance, whilst the creation of a new opening does result in some loss of historic fabric, another existing 18th century door is to be re-used to maintain the internal character of the space, whilst also retaining an important feature that should not be lost or concealed. Another proposal which requires an existing doorway to be sealed up involves leaving an impression in the wall to express the former opening. Details of all new internal joinery such as doors and skirting boards should be provided by way of planning condition. Other alterations such as the blocking up of openings have been designed in such a way that the doors remain 'in situ', with some modern intervention installed behind them. This approach follows good conservation principals as it allows for the works to be removed and the doorway to function

again i.e. be reversible. Other alterations are required as a result of building regulations and have been designed to minimise their impact and to be reversible where possible. The approaches proposed are acceptable and positive. An area of concern was initially raised by the Conservation Officer in respect of the loss of the chimney breast at first floor level in the existing bathroom, when they stated ideally this should be retained. However, an addendum to the planning application (received 29/07/2021) confirms that this chimney breast is now proposed to be retained and the bath placed in front of it instead and the Conservation Officer has confirmed they welcome this approach as it retains historic fabric.

The windows are largely unaffected by the proposals, though where more characterful windows are

being removed and replaced by doors, the opportunity to re-use them and replace modern Crittel windows should be embraced. This approach is identified within the Heritage Statement and would remove unsympathetic windows and help to enhance the character of the listed building, which the Conservation Officer is supportive of.

Externally there is very little impact on the building. An additional porch would be added to the west elevation and an additional entrance door and porch would be inserted into the east elevation. These additions would not harm the significance of the listed building and appear to be designed to reflect the existing building. As a result, they are not considered to be harmful. Details of the new external doors and windows and the proposed treatment of both them along with the new porches would be required by way of planning condition.

Additional information on the roof strengthening works including in respect of the resin repair and showing before and after photos of the roof joists has been provided, and the Conservation Officer has confirmed this information appears to be acceptable.

In conclusion, the proposals have been carefully considered and prepared so as to follow conservation principles or minimise loss of fabric where change is required. It is considered that the alterations have the potential to enhance the listed building through the replacement of the existing later fireplace, re-use of windows etc, and ensure that the building is put in a good state of repair and appropriately maintained. On balance, the application is considered to not cause harm to the significance of the heritage assets or their setting. As such, the proposals would accord with the relevant legislation, the NPPF and policies HER SP1, HER DM1 and HER DM3 of the Arun Local Plan in terms of its impact on heritage assets.

DESIGN AND VISUAL AMENITY

Policy D SP1 of the Arun Local Plan (ALP) states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, attractiveness, residential amenity impact, adaptability, density, and scale. ALP policy D DM4 sets out requirements for extensions and alterations to existing buildings, including that it; sympathetically relates to and visually integrates with the building, is visually subservient to the main building, if the area is characterised by gaps between buildings at first floor then any first floor extensions maintain a 1m gap to the side boundary, and that extensions and alterations do not compromise the established spatial character or pattern of the place.

Section M of the adopted ADC Design SPD (Jan 2021) provides detailed advice regarding extensions including; "Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. This is best achieved through simple and unobtrusive design. For listed buildings, in Conservation Areas and in many other cases the best approach will be to emulate the existing building." In addition it states, "The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable (Figure 274)."

Externally the proposal does not involve significant alterations and consists; an additional front entrance door and porch to the eastern elevation, an additional rear porch to the western elevation, replacement of some modern windows with more traditional style windows, a small black painted flue to roof and addition of iron and roof tile bathroom vent/grilles. These external alterations (subject to planning conditions to secure details) would be subordinate in scale and sympathetic in design and materials to the appearance of the building and would have an acceptable visual impact on the appearance of the building, street scene and the surrounding area. In addition, the replacement of more modern windows with more traditional ones will be a visual enhancement.

Accordingly, the proposals would comply with design policies D SP1, D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide SPD (2021).

RESIDENTIAL AMENITY

Policy QE SP1 of the Arun Local Plan requires development contributes positively to the quality of the environment and ensures development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development has a minimal impact to users and occupiers of nearby property/land e.g. by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. QE DM1, DM2, DM3 and DM4 consider issues of noise, light, air and land pollution.

NPPF para 127(f) (2019) requires decisions to create places with a high standard of amenity for existing and future users.

The ADC Design SPD sets out amenity requirements, including the 25 and 45 degree tests for daylight loss and minimum separation distances to avoid overlooking etc.

The proposed external alterations and extensions are of a scale and distance from neighbouring properties which means they would not result in any material loss of outlook, light or privacy levels. The change from windows to doors, replacement windows, and additional window in the north elevation of the building (given its orientation/distance to other buildings) would not give rise to any additional substantial overlooking or loss of privacy.

The proposals would maintain the residential amenity of neighbouring occupants, in accordance with the NPPF, and Arun Local Plan policies D DM1 and QE SP1.

COMPLIANCE WITH INTERNAL AND EXTERNAL SPACE STANDARDS

Policy D DM2 of the Arun Local Plan states internal spaces should be of an appropriate size and that the national internal space standards set out in 'Technical Housing Standards - Nationally Described Space Standards' (2015) provide guidance. Supporting para 13.3.4 states "There might be occasions where development schemes cannot comply with all the space standards required (such as the conversion of an existing building, or where compliance with the standards may harm the historic character of a building). Arun

District Council will consider these on a case-by-case basis." Section J.08 of the ADC Design SPD reiterates the internal space standards requirement.

The scheme proposes the sub-division into 1 x 2 bed dwelling and 1 x 3 bed dwelling. The national internal space standards for a 2 storey 2 bed is minimum 70-79sqm and for a 2 storey 3 bed is minimum 84-102sqm. In this case, both dwellings are above 102 sqm and meet the internal living space standards. The proposal therefore complies with policy D DM2 of the Arun Local Plan.

There are no specific policies in the Arun Local Plan with regard to external amenity space. Section H.04 of the Arun Design SPD (Jan 2021) advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable for occupants. This includes that Residential Communal Shared Spaces: should be a minimum 40sqm plus 10sqm for each unit.

The scheme would provide a front garden area to the east of the building (shared between plots 1 and 2), a side garden area to the north of the building (private area for plot 2) and a rear garden area to the north-west of the building within the farm complex (which appears to be allocated to plot 1). It is noted

that the north-west area to plot 1 would be separated from the main house and so in this respect would be perhaps less functional but it would still provide a potential private courtyard/garden area to serve that dwelling. As such, each dwelling would be provided with communal or/and private outdoor amenity space of an appropriate size and shape to be usable and enjoyable for the occupants of the 2 homes. The proposals would therefore accord with the Arun Design Guide SPD in this regard.

PARKING

Paragraph 110 of the NPPF states that in assessing specific applications for development it should be ensured that (b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T SP1 of the Arun Local Plan requires development proposals to provide safe access on to the highway network and to incorporate appropriate levels of parking in line adopted planning policies. ALP policy T DM1 requires development to make provision for facilities for sustainable modes of transport such as cycling, to meet the parking standards, including cycle storage.

The existing access to the farm complex off Fransican Way would be utilised, providing safe and suitable vehicular access to the site. The Parking Plan shows that there would be on-site parking spaces for at least 2 vehicles per property. This would exceed the Arun Parking SPD (2020) standards which requires 1 car parking space for a 2 bed in Parking Behaviour Zone (PBZ) 4 and 2 car parking spaces for a 3 bed in PBZ 4. 100% of parking spaces to houses with a driveway or garage or parking space in this instance should be provided with Electric Vehicle Charging Point provision, to allow for cleaner vehicles and air quality, in accordance with ADC Parking SPD standards and Local Plan policy QE DM3. A planning condition will be added accordingly to secure this. Cycle parking/storage has not been shown on the plans, so this would be secured by planning condition. A minimum of 1 cycle space would be required for the 2 bed and 2 cycle spaces for the 3 bed to accord with Arun Parking SPD standards.

Subject to planning conditions to secure EVCP provision and cycle parking, the proposals would accord with the NPPF, Arun Local Plan policies T SP1 and T DM1 and the Arun Parking SPD (2020) in respect of site access, highways safety and parking provision.

REFUSE

Policy WM DM1 of the Arun Local Plan requires new residential development to ensure that kerbside collection is possible for municipal waste vehicles and bin storage provision is made as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. The same amount of storage space/bins for recyclable materials is required to be provided. It is recommended that any waste storage provision is located near or adjacent to the highway, so that the maximum refuse pulling distances and refuse vehicles access requirements are complied with. In accordance with section H.07 of the ADC Design SPD, attractive bin storage (providing screening for bins) should also be integrated into the design of the new housing.

The Parking/Site Plan and Proposed Ground Floor Plan shows the provision of 3 bins per property located to the west/rear of the building. These would be partially screened behind the existing 1m high flint wall. These could be brought to the site entrance off Fransican Way on bin collection days to allow for kerbside collection.

Subject to a planning condition to secure provision of a minimum 2 x 240l wheelie bin per property, the proposals would make adequate provision for waste storage and collection, in accordance with Arun

Local Plan policy WM DM1.

FLOODING & DRAINAGE

The majority of the site is located within Flood Zone 1 (lowest risk of flooding), although a small part of the site is located within Flood Zones 2 and 3 (medium-high risk flooding).

For sites in Flood Zone 2 and 3, the NPPF and Arun Local Plan policy W DM2 require that a Sequential Test must be undertaken to assess if there are other alternative reasonably available sites for the same development as proposed within an area at a lower risk of flooding. The aim is to steer new development to areas at lowest risk of flooding. If an ST concludes there are alternative reasonably available sites for the same development being proposed in an area of lower flood risk then the NPPF states that the development proposed should not be permitted. If the ST concludes there are not any alternative sites then the NPPF requires that the Exception Test be undertaken for certain types of vulnerable development (including residential development).

The NPPG details that there are certain exemptions from the requirement for a Sequential Test, one of them being if the proposal is for 'minor development', which includes:

- householder development: For example; sheds, garages, games rooms etc within the curtilage of the existing dwelling, in addition to physical extensions to the existing dwelling itself. This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling eg subdivision of houses into flats."

Given the proposed development would create a separate new dwelling in the curtilage of an existing dwelling i.e. is a subdivision, the need for the Sequential Test would ordinarily apply.

However, in this case; only a very small part/edge of the site would be within Flood Zone 2 and 3, the proposals would be unlikely to result in a material increase in occupants at the site so no increased pressure in flood rescue event and the proposed porch extensions are minor. As such, it is concluded that there is no need for the Sequential Test in this instance, and the proposals would not increase flood risk or drainage issues on site or elsewhere in accordance with Arun Local Plan policy W DM2.

TREES

In respect of protection of trees and hedgerows, the British Standards, and policy ENV DM4 of the Arun Local Plan are relevant.

There are several shrubs, conifers and fruit trees on the northern boundary of the site between the front garden and the St Josephs Nursing Home parking area. These are not high value trees and are not protected by Tree Preservation Orders (TPOs) but they provide some visual amenity and positive contribution to the character of the Conservation Area, and all appear to be third party tree in the St Josephs site, so their protection should be considered.

Minimal external alterations and extensions are proposed, the nearest to these trees being the window replacement/addition on the north elevation and the new entrance porch on the east elevation. These are small-scale works, with the porch consisting low brick plinth with assumed minimal foundations and mainly over an existing hardstanding pathway area, so interaction with tree roots is very unlikely. It is considered the proposals are unlikely to detrimentally affect these trees and hedges.

BIODIVERSITY

The Environment Bill, NPPF and Arun Local Plan policy ENV DM5 requires that all new development seek a net gain in biodiversity. A Biodiversity Enhancement Plan has been submitted during the course of the determination period of the application, showing the proposed biodiversity enhancement measures which will result in a net gain in biodiversity on site. A planning condition will be used to secure these measures.

SUMMARY

For the reasons set out above it is considered that the proposal would have an acceptable impact on heritage, visual and residential amenity, standard of accommodation for future occupants, refuse storage and collection provision, highways and parking, flood risk and drainage and trees and would result in a net gain in biodiversity. The application would therefore accord with Development Plan policy, Council planning guidance and the NPPF and is therefore 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 CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply).

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. Cellar, Ground Floor and First Floor Plans - Proposed (drawing no. 203104/ 03), with exception of fireplace chimney breast in first floor bathroom to Plot 1 which shall not be removed but shall be retained.

2. Elevations - Proposed (drawing no. 203104/ 04).

3. Sections A, B, C and D - Proposed (drawing no. 203104/ 05).

4. Addendum document (received 29/07/2021) - showing fireplace chimney breast in first floor bathroom to Plot 1 shall be retained, and ground floor kitchen modern fireplace to Plot 1 shall be removed and replaced with traditional tiled fireplace and larder.

5. Method Statement on roof strengthening works (prepared by Bryceson Shaw Associates, dated November 2020).

6. Email from agent Fuller Associates dated 25th June regarding ground floor fireplace and first floor chimney breast proposals.

7. Roof Resin information PDFs 1 and 2 (enq./job no. 5460, dated 29/04/2021)

8. Roof resin repair - before and after photos supplied 7th May 2021

Reason: For the avoidance of doubt and in the interests of heritage, amenity and the environment in accordance with policies HER SP1, HER DM1, HER DM3, D SP1, D DM1, QE SP1, W DM1, T SP1 and T DM1 of the Arun Local Plan.

- 3 No development shall commence until full details (at a scale of 1:10 or 1:50) of the new external doors and windows (including sections) and their treatment along with details of the new porches have been submitted to and approved in writing by the Local Planning Authority. These works shall then be undertaken in strict accordance with the approved details and thereafter retained as such.

Reason: To protect the significance of the listed building and its setting and the character and appearance of the Conservation Area, in accordance with policies HER SP1, HER DM1 and HER DM3 of the Arun Local Plan.

- 4 No development shall commence until details of the proposed removal of existing unsympathetic modern windows and their replacement and re-use of existing traditional windows have been submitted to and approved in writing by the Local Planning Authority. These works shall then be undertaken in strict accordance with the approved details and thereafter retained as such.

Reason: To protect the significance of the listed building and its setting and the character and appearance of the Conservation Area, in accordance with policies HER SP1, HER DM1 and HER DM3 of the Arun Local Plan.

- 5 No development shall commence until details (at a scale of 1:10 or 1:50) of all new internal joinery such as doors and skirting boards have been submitted to and approved in writing by

the Local Planning Authority. These works shall then be undertaken in strict accordance with the approved details and thereafter retained as such.

Reason: To protect the significance of the listed building in accordance with policies HER SP1 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework.

- 6 Prior to the installation of any boundary treatments to the 2 plots or any alterations to existing boundary treatments, full details of the proposed location, heights, materials and finishes of these new/alterd boundary treatments must be submitted to and approved in writing by the Local Planning Authority. Any approved boundary treatments will then be altered/installed and retained thereafter in strict accordance with the approved details.

Reason: To protect the significance of the listed building and its setting and the character and appearance of the Conservation Area, in accordance with policies HER SP1, HER DM1 and HER DM3 of the Arun Local Plan.

- 7 Prior to occupation of the development hereby approved, on-site car parking shall be provided (a minimum of 2 spaces per Plot) in accordance with the Parking Plan received 29/07/2021.

Reason: To ensure the dwellings have adequate on-site car parking provision, in accordance with policy T SP1 of the Arun Local Plan and the Arun Parking SPD (2020).

- 8 Prior to occupation of the development hereby approved, electric vehicle charging point provision shall be made for 100% of the car parking spaces (minimum of 2 spaces per plot). These shall be retained and maintained in good working order thereafter.

Reason: To encourage sustainable modes of travel, the use renewable energy and improve air quality, in accordance policies T DM1, E ECC1, E ECC2 and QE DM3 of the Arun Local Plan and the Arun Parking SPD (2020).

- 9 Prior to occupation of the development hereby approved, details of on-site cycle parking storage (a minimum of 1 space for 2 bed dwelling and 2 spaces for 3 bed dwelling) must be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be installed and retained thereafter.

Reason: To ensure the dwellings have adequate on-site cycle parking provision and to encourage sustainable modes of travel, in accordance with policies T SP1 and T DM1 of the Arun Local Plan and the Arun Parking SPD (2020).

- 10 Prior to first occupation of the dwellings, adequate refuse and recycling provision (in the form of 1 x 240l refuse bin and 1 x 240l recycling bin per property) shall be made for each dwelling and thereafter retained in perpetuity. Bins shall be stored to the rear/west of the property as shown in the approved plans and allow for kerbside collection by municipal refuse vehicles from Fransican Way.

Reason: To ensure adequate waste provision for the occupants of the dwellings and allow for kerbside collection, in accordance with policy WM DM1 of the Arun Local Plan.

- 11 No part of the development shall be first occupied until the biodiversity enhancements set out in the Biodiversity Site Plan (received 14/08/2021) submitted have been implemented and shall include:

- 1 bird box to plot 1
- 1 bird box to plot 2
- Log piles to plots 1 and 2

These measures shall remain on site in perpetuity.

Reason: To enhance biodiversity and result in Biodiversity Net Gain in accordance with the Environment Bill, National Planning Policy Framework and policy ENV DM5 of the Arun Local Plan.

- 12 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 13 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments (Plot 1 first floor bathroom chimney breast to be retained, provision of Parking Plan and Biodiversity Enhancement Plan) 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 National Planning Policy Framework.