

Recommendation Report for Planning Permission

REF NO: LU/151/19/PL

LOCATION: Flat 2
4 St Augustine Road
Littlehampton
BN17 5NG

PROPOSAL: Change of use from a duplex apartment to 1 No. self contained studio & 1 No. 1-Bed apartment to include first floor rear extension. This application may affect the setting of a listed building & affects the character & appearance of the Littlehampton Seafront Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to subdivide an existing 2 bedroom flat (37.8 sq.m.) over 2 floors to a one bed flat (30.2 sq.metres) on the ground floor and a studio apartment (17.7 sq.m) on the first floor.
SITE AREA	79 sq.m.
BOUNDARY TREATMENT	A 1.8 metre brick wall to the rear yard.
SITE CHARACTERISTICS	The 2 bed roomed apartment is located in a terraced house which is subdivided into apartment units.
CHARACTER OF LOCALITY	A predominantly residential area.

RELEVANT SITE HISTORY

LU/273/03/	Conversion of premises to 4no. flats (Re-submission following planning application LU/166/02/)	ApproveConditionally 14-01-04
LU/166/02/	Conversion to 5 no flats	Refused 16-10-02

Planning approval was granted in 2003 for conversion of the house into 4 flats. This followed the refusal of an application to convert the property into 5 flats in 2002.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

Objection - Significantly deficient internal space standards.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Environmental Health

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

ADC Conservation - No objection - The development would not be considered to cause harm to the significance of the heritage asset.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CONS AREA

CLASS C ROAD

BLDGS SPEC CHAR

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 17](#) Buildings and Structures of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 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.

Policy 17: Buildings and Structures of Character of the Littlehampton Neighbourhood Plan is 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 not considered to comply with relevant Development Plan policies in that it fails to comply with policy D DM2 - Internal Space Standards.

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

Built Up Area Boundaries are defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of this Local Plan.

The key Policy considerations in the determination of this application are deemed to be D DM1, D DM2, D DM4, HER DM3 and T SP1 of the Arun Local Plan and Policy 17 of the Littlehampton Neighbourhood Plan guidance within the National Planning Policy Framework.

Policy D DM1 - Aspects of form and design quality

When considering any application for development the Council will have regard to the following aspects:

1. Character.
2. Appearance/attractiveness.
3. Impact.

Policy D DM2 - Internal Space Standards - The Council uses the Nationally Described Space Standards as guidance. Exceptions may be allowed in instances such as the conversion of an existing building.

Policy D DM4 - Extensions and alterations to existing buildings (residential and non-residential).

When considering applications for alterations to existing buildings, the Council will require that the alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials, is visually subservient to the main building and provide a high standard of amenity, does not have an adverse impacts on neighbouring properties and respects the established spatial character.

DESIGN AND VISUAL AMENITY

The proposed conversion of the apartment would not affect the external appearance of the building and therefore the proposal is considered acceptable in relation to policies D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

There would be no materially adverse impact on the residential amenities of neighbouring properties due to the proposal not creating any additional windows facing neighbouring properties nor adding any extensions to the property. There would therefore be no materially adverse impact on the residential amenities of neighbouring properties.

In this respect the proposal is considered to comply with policy D DM1 and D DM4 of the Arun Local Plan.

INTERNAL SPACE STANDARDS

The Nationally Described Space Standards set out that a 1 bedroomed flat should have an internal space of 37 sq.m. The ground floor flat would have 30.1 sq.metres of floorspace and the first floor studio flat would have a floor area 17.7 sq.m.

The existing 2 bedroomed flat to be converted already fails the National space standards. This lack of internal space would be further exacerbated as the proposed units would be 80% and 50% of the Nationally Described Space Standards respectively which is considered to be substantially below the guidance standards. This would result in cramped living conditions without justification.

The proposal does not comply with policy D DM2 of the Arun Local Plan.

CONSERVATION ISSUES

Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 states that the decision as to whether or not to grant planning permission for development which affects a Conservation Area special regard to the desirability of the preservation of the character and appearance of Conservation Areas should be taken. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets including its status as a locally listed Building of Character.

In this instance since there are no external changes/impacts the information provided is considered acceptable. It is considered that the proposed development does not cause harm to the Conservation Area in which it is sited, and as such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

The development would not affect the external appearance of the Conservation Area nor the

significance of the heritage asset as a Building of Special Character.

The proposal is therefore considered acceptable with respect to policy HER DM3 & HER DM4 of the Arun Local Plan and policy 17 of the Littlehampton Neighbourhood Plan.

PARKING AND HIGHWAY SAFETY

Policy T SP1 of the Arun Local Plan applies which states that the Council will support transport and development which incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking.

The site is sustainably located, close to Littlehampton Town Centre and given that no additional bedrooms would be created the proposal would be unlikely to a significant additional generation of car parking demand would be likely to be caused.

The proposals would be unlikely to have a significant impact on the operation of the highway network and therefore is not contrary to the NPPF. As such, it is considered that the proposal would comply with Policy T SP1 of the Arun Local Plan.

SUMMARY

It is recommended that the planning application is refused for the following reasons:

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

REFUSE

- 1 The two flats created would be significantly below the Nationally Described Space Standards used for guidance in assessing internal space standards which would lead to cramped living conditions for future occupiers contrary to policy D DM2 of the Arun Local Plan.
- 2 **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 with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.