

Recommendation Report for Planning Permission

REF NO: LU/152/17/PL

LOCATION: Friends Meeting House
23 Church Street
Littlehampton
BN17 5EL

PROPOSAL: Internal & external alterations to alter wheelchair access. This application affects the character and appearance of East Street Littlehampton Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks planning permission for internal and external alterations to facilitate wheelchair access to the building. The internal alterations to the building would not constitute development under Section 55 of the Town and Country Planning Act 1990 and as such the determination will be based upon the external alterations only.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site features a 2m high brick wall which runs adjacent to Church Street.
SITE CHARACTERISTICS	The site is occupied by a 2 storey Grade II Listed Building with flint and rendered elevations and a slate roof.
CHARACTER OF LOCALITY	The immediate locality is identified as a Conservation Area and is a mixture of residential and commercial uses and features a number of listed buildings.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Support - The Town Council's Planning and Transportation Committee considered this matter at their meeting on Monday 13th November 2017 and supported the application.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

COUNCIL'S CONSERVATION OFFICER:

Comments received 01.06.2017

While there is no objection to some of the minor interventions, much of the present proposal is contrary to Para. 132 of the NPPF in conflict with Local Plan 2003 Policy Area 2, and Local Plan 2014 Policies HER DM1 and 3.

Comments received 6th December 2017 following revision of proposal

Objection maintained.

CONSERVATION AREA ADVISORY COMMITTEE:

The concept of making the building accessible is supported but the design needs to be refined.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The proposed development has been amended from that originally submitted with the proposed 'tool shed' being relocated from the primary elevation and porch to the west of the primary elevation having been removed. This has not been sufficient to overcome the harm to the historical and archaeological importance of the building which is Listed. In terms of the Conservation officers perceived harm to the Conservation area this is not been amplified in their comments and on closer examination, as set out in the Conclusions section, it is not shared by the case officer.

POLICY CONTEXT

Designation applicable to site:

LB GRADE II

CONS AREA

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

AREA2	Conservation Areas
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
HER DM3	Conservation Areas

SD SP2 Built -Up Area Boundary

[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:

SPD2 Conservation Areas

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 Littlehampton Neighbourhood Plan has been made and policies 1 and 2 are considered relevant to the determination of 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 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.

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 character of the Conservation 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 application site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be AREA2 and GEN7 of the Arun District Local Plan; policy HER DM3 of the emerging Arun District Local Plan; and the National Planning Policy Framework.

The impact of the proposed development upon the character of the listed building will be considered in the determination of the application for listed building consent under reference LU/153/17/PL.

DESIGN AND VISUAL AMENITY

As part of this application permission has been sought for internal alterations to the building. However, internal alterations do not constitute development under Section 55 of The Town and Country Planning Act 1990 and as such will not be considered in the determination of this application.

Externally the application seeks permission for the creation of a ramp access forward of the primary elevation and creation of an opening in the boundary wall adjacent to Church Street to provide access into the site. The proposal also seeks permission for the construction of a porch forward of the primary elevation and the erection of a 'tool shed' on land forward of the primary elevation.

The proposed access ramp and opening in the boundary wall will allow for the creation of wheelchair access to the property with the only means of access currently being via the steps situated on the west of the site. The proposed pathway/ramp will have limited presence within the street scene by virtue of the 2m high boundary wall adjacent to Church Street and as such it is considered that this aspect of the proposal development would accord with policies GEN7(ii) and AREA 2 of the Arun District Local Plan.

The proposed opening in the existing boundary wall will measure approximately 1.4m in width and will utilise an existing brick pier on the eastern side with a new brick pier created to the west of the opening. The new opening will feature a gate measuring 1.5m in height, the proposed wrought iron gate is intended to be painted black and is considered to be of an acceptable design. The opening in the brick wall is considered to preserve the character of the Conservation Area (subject to the use of appropriate materials) in accordance with policy AREA2 of the Arun District Local Plan and HER DM3 of the emerging Local Plan.

The proposed 'tool shed' will be situated forward of the primary elevation on the eastern boundary of the site and will measure approximately 1.5m in height and 1.8m in width. The shed will be obscured from the street scene by virtue of the existing boundary screening and as such it is considered that it will preserve the setting of the Conservation Area in accordance with policy GEN7(ii) and AREA2 of the Arun District Local Plan and policy HER DM3 of the emerging Local Plan.

The proposed porch will be situated forward of the primary elevation and will replace an existing open sided timber structure. The existing timber structure makes no positive contribution to the character of the Conservation Area. The proposed glazed porch will have a maximum height of 2.8m and will measure approximately 2.3m in width and 1.55m in depth. The proposed porch will have a limited presence within the street scene and will be obscured from view from the east by virtue of the buildings 'L-shaped' construction and will be obscured from views to the west by virtue of the existing building line. Whilst the proposed porch will be visible from the south of the application site it will only apply to a section of it which will be well set back and distant from view of the street (11m). Given the overall limited visual impact and the fact that it replaces a structure of little visual merit it is considered that the proposed porch would accord with policy GEN7(ii) and AREA2 of the Arun District Local Plan and policy HER DM3 of the emerging Local Plan.

RESIDENTIAL AMENITY

The proposed external alterations by virtue of their design and siting would have no adverse impacts upon the residential amenity of neighbouring properties and as such would accord with policy GEN7(iv) of the Arun District Local Plan.

SUMMARY

The proposed development is considered to accord with relevant development plan policies and as such is recommended for approval subject to the below conditions. It should be noted that Listed Building consent would be required for these works and a separate application has been submitted under reference LU/153/17/L.

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 positive impact on the protected characteristics, by virtue of the facilitating wheelchair access to the building.

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 Site Plan & Roof Plan - 16198/02aR3
 - Proposed Floor Plans & Elevations - 16198/02R3
 - Proposed Tool Shed & Front Boundary - 16198/02b
 - Joinery Details - 06/11/2017
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 porch have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the porch.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The materials and finishes of the boundary wall alterations hereby permitted shall match in colour and texture those of the existing boundary wall.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments 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.