

Recommendation Report for Planning Permission

REF NO: LU/174/21/PL

LOCATION: 44-48 High Street
Littlehampton
BN17 5ED

PROPOSAL: Replacement of 14 No. timber frame sash windows and 1 No. timber frame bay window to residential units. This application is in CIL Zone 4 (zero rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The replacement of 14 wooden windows and 1 bay window with UPVC units.
SITE CHARACTERISTICS	Residential units above shops in Littlehampton Town Centre.
CHARACTER OF LOCALITY	Littlehampton Town Centre shopping parade.

REPRESENTATIONS

Littlehampton Town Council - No objection.

1 neighbour comment - development acceptable if windows are like for like replacement.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - The windows would be harmful to the historic building. If the appearance of the windows is to remain the same, and the dimensions of the frames and glazing bars similar to the existing ones, the impact could be reduced.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted.

POLICY CONTEXT

Designation applicable to site:
BLDGS SPEC CHAR
ADOPTED LOC PLN
PUBLIC SEWER ON SITE

DEVELOPMENT PLAN POLICIESArun 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

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.

Policy 1 of Littlehampton Neighbourhood Plan applies to this development

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 replacement of wooden windows with UPVC windows will not cause a significant alteration in the appearance of the building.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

The key issues are the design of the windows and the impact upon the Building of Character.

The key policies are D DM4, D DM1 and HER DM3 of the Arun Local Plan and Policies 1,2 and 17 of the Littlehampton Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm,

Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HER DM3 Proposals for the alteration or extension of buildings on the Local List will be expected to relate sensitively to the building or structure and its setting and respect its architectural, landscape or historic interest. The Local Planning Authority will seek to preserve features of such buildings which contribute to that interest.

Policy 17 of the Littlehampton Neighbourhood Plan states that The effect of a planning application proposal on the significance of these non-designated heritage assets will be taken into account in determining the application in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal

The proposal is for the replacement of 14 sash windows and 1 bay window with the same windows except made of UPVC.

The replacement of windows is not considered to impact greatly upon the character of the area or materially affect the design of the properties. It would not impact upon the residential amenity of neighbouring properties.

Under para 203 of the NPPF it is considered on balance that the scheme would not cause any harm or loss to the non designated heritage asset due to its sympathetic design and the fact that the dimensions of the frames and glazing bars are the same size as existing. The use of UPVC in this case is considered acceptable because it is a building of character and the replacement windows are like for like. The windows are considered to be sympathetic with the building as a whole and would preserve the historic interest in the building in accordance with policy HER DM3 of the Arun Local Plan and policy 17 of Littlehampton Neighbourhood Plan.

The scheme is considered acceptable and is recommended for approval subject to 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.

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;

Block Plan

Proposed Elevations North and East dwg.no. 1/1 dated 01/06/2021

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.