

LU/183/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- Change of Use from one three ^{bed} house to two one bed self-contained flats. 47 Stanhope Road, Littlehampton
-------------------------	---

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Site visit revealed this is a retrospective application.
SITE AREA	Approximately 116 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	172 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None affected by this proposal
BOUNDARY TREATMENT	Low boundary wall to front. Rear enclosed a mixture of walls and fencing, all approximately 1.8 metres in height.
SITE CHARACTERISTICS	Two storey end of terrace property with red brickwork and brown pitched roof. Bay window to front. Small garden at front. Narrow garden to rear, with a number of sheds.
CHARACTER OF LOCALITY	Residential cul-de-sac characterised by two-storey terraces, all with red brickwork, pitched roofs and bay windows to front. Narrow plots. On-street parking.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	None of relevance	

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Littlehampton Town Council	No Objection.
LOCAL GROUPS	None
3 Letters of Representation	- The conversion has already taken place without official supervision and guidance. From enquires it appears that some of the work will breach building regulations and will need correction. - Stanhope Road is a cul-de-sac and is already unable to accommodate all the cars being driven by all the residents. This proposal will exacerbate the problem currently experienced.

LU/183/07/

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	• If the application is permitted it would very certainly lead to many others in the road, at which point the sewage system would be in danger of breakdown. • Illegally tapped into sewer that services the house from 49 to 59 Stanhope Road, so is breaking the law. This should be rectified. • Deep concerns about crowding in this already densely populated area of Littlehampton. • Approving this would set a precedent for other properties. • Stanhope Road terraces are three up/three down, first time buyer's properties, and as such they serve the area to the best effect.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
WSCC Highway Department	In respects of car parking, there is no opportunity to provide off-street car parking in this vicinity. I would not envisage a material increase in off-street car parking to result from this application. The property does appear to have a side access permitting access to the back garden, therefore there would appear to be the opportunity to secure cycle parking in lieu of the car parking in this location. No Highway Objection would be raised. Please condition the provision of secure, covered cycle parking, if deemed possible.
Environmental Health Officer	• The applicant has ticked the "No" box when asked if there are any "Alterations or extensions of existing buildings". This is only true as it is a retrospective change of use. Works have been conducted to change the building from a house to two flats and therefore an alteration before planning acceptance. • Land registry states that the owner of the property as of 17th January 2007 is Mr Charles Meynell of 18 River Road, Littlehampton and not Ms VP Edmonds of that same address. Awaiting the return of a Local Government (Miscellaneous Provisions) Act 1976 Section 16 Notice, which should identify the true owner of the property, as there is currently some ambiguity to who this really is. • There is a current Housing Act 2004 Improvement Notice outstanding on the property which expires on 13th August 2007 (with some items required to be completed before that in June and July). • Room dimensions of the lounge mean that the first floor flat has an undersized lounge (8.16 square metres, minimum requirement for a one person, one bed flat would be 11.5 square metres).

LU/183/07/

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	- Room dimensions mean that the ground floor flat is suitable as a 1 person, 1 bed flat. - Category 1 Hazard – Falls on the stairs – no handrail and due to the steepness of the stairs it is considered that someone could easily fall down the stairs (reported to have already occurred). Remedial work required include the provision of a handrail on the stairs to the first floor flat. - Category 2 Hazard – Damp and Mould Growth - damp in the first floor living room which may exacerbate the frequency and severity of chest complaint/infections that occupants may experience and may be harmful to the young. There also appears to be a damp area on the ceiling. Remedial works are required e.g. commissioning a report from a qualified or suitable damp proof contractor and undertake any remedial works required or recommended as being necessary. - Category 2 Hazard – Excess Heat – the window in the first floor front bedroom has been sealed up and therefore can not be opened and used as it is designed to. Remedial works required are to ensure the window is openable and able to be used as per its original design and use. - Category 2 Hazard – Electricity – The electrical system within the property on the first floor occasionally cuts out and may be symptomatic of an electrical fault which could be a fire hazard. Remedial works required - commission a report for a qualified NICEIC electrician and undertake any remedial works that are required or recommended by the electrician.
Southern Water	No Objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Tree Preservation Order Public Sewer

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1, DEV5, CH1, ERA1 Arun District Local Plan : GEN2, GEN7, GEN12, DEV23

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport

LU/183/07/

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.

COMMENT ON CONSULTATION RESPONSES

- The applicant has ticked the box that a change of use has occurred and this is considered adequate for this application.
- The agent has confirmed that the owner of the property is Mr C Meynell and not Ms V Edmunds. Therefore, revised application forms and Certificates have been submitted and substituted on the file.
- The remaining issues which Environment Health have raised are not planning considerations and therefore will need to be addressed under the relevant Environmental Health legislation.

COMMENT ON REPRESENTATIONS RECEIVED

- It was noted on site that this is a retrospective application. Applicants can make applications retrospectively; however, they do so at their own risk.
- Any concerns about a breach of building regulations should be raised with the Building Control department.
- Highways have raised no objection to this proposal. The Highways Department are of the opinion that this proposal will not lead to a material increase in off-street car parking. They have however, requested that secure cycle parking is provided, if possible, which can be achieved through a condition.
- Southern water have been consulted on this application and have not offered an objection. If there are concerns about the sewers being tapped into illegally this should be addressed with Southern Water and Building Control as this is not a planning consideration.
- The concerns about the dense population of Littlehampton have been noted. However it is not considered that this application will result in an overdevelopment of the site, nor is it considered to have a significant impact on the density of the overall street.
- Any future applications for conversions in this area will be assessed on their own merits.
- PPS 3 focuses on ensuring that effective use is made of land and it is considered that the conversion of this property to two flats will make an effective use of this land.

ASSESSMENT OF PROPOSAL**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 either the visual amenities of the locality or residential amenities of adjoining properties, nor would it have an adverse impact upon the established

LU/183/07/**ASSESSMENT OF PROPOSAL****DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other/other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The site is situated within the built up area boundary where development is acceptable in principle. The proposal is to subdivide an existing dwelling house into a two one-bedroom flats. It has been noted that this will lead to a greater housing density than previously, but it is not considered to be an overdevelopment of the site and it is believed the proposal will make an efficient use of the land and building, as required by both policy GEN7 from the Local Plan and PPS3. The character of the area is predominantly residential and therefore the retention of an existing residential use, albeit of a greater intensity, is not considered to be out of character with the street.

The proposal is not considered to have an unacceptable adverse impact on adjoining occupiers. Concerns about parking have been noted. However, Highways have raised no objection due to lack of off-street parking, and it is considered that the proposal will not lead to a material increase in on-street car parking. The alley which allows access to the rear garden of 47 Stanhope Road, is also approximately one metre in width which will allow a bicycle to be transported to the rear garden. Therefore, a planning condition can be used to seek secure cycle parking at the rear of the property. Further, the development has created two independent homes with the internal stairway being utilised for the first floor flat, which means that no external changes will occur to the building which will have an adverse impact on the visual amenities of the area, nor have a detrimental effect on the residential amenities of the neighbouring properties in terms of overlooking, overshadowing or an overbearing effect.

Environmental Health have raised a number of issues, however, these are not planning considerations and will need to be addressed under the relevant Environmental Health legislation.

Therefore having taken all of the above factors into consideration, it is not considered the proposal would have a materially adverse effect on either the visual amenities of the locality or residential amenities of adjoining properties, now it is considered to have an adverse impact upon the established character of the surrounding area.

It is therefore recommended that the planning application should be approved, subject to the conditions set out overleaf.

LU/183/07/



RECOMMENDATION
TOWN AND COUNTRY PLANNING ACT 1990

LU/183/07/

RECOMMENDATION

Application Ref: LU/183/07/

1

To Addressee

2

Site Address

47 Stanhope Road
Littlehampton

3

Description of Development

Change of use from one three bed house to two one bed self contained flats.

4

In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

LU/183/07/

CONDITION 1 Within two months of the date of this decision details of secure cycle storage must be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be provided and constructed within five months from the date of the permission. The areas of land so provided shall not thereafter be used for any purpose other than the storage of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of cycles in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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

STRUCTURE PLAN: LOC1, DEV1, DEV5, CH1, ERA1

LOCAL PLAN: GEN2, GEN7, GEN12, DEV23

NATIONAL POLICIES: PPS1, PPS3, PPG13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

INFORMATIVE:

The Council's Environmental Health Officer has raised a number of concerns relating the room dimensions, steepness of the stairs, damp and mould, excessive heat and the electricity system. The applicant is advised to contact the Council's House in Multiple Occupation Officer for more information.

Case Officer: Ms J Searle