

Recommendation Report for Planning Permission

REF NO: LU/1/18/PL

LOCATION: 53 East Street
Littlehampton
BN17 6AU

PROPOSAL: Two storey extension. This application affects the character & appearance of the East Street Conservation Area & may affect the setting of Listed Buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application has been revised following the comments of the Conservation Officer on the original scheme. The revised scheme proposes to erect what would be a combined rear single and two storey extension. The single storey element would be across the rear of the property and would provide a third surgery and additional surgery facilities. At first floor the extension would provide a third bedroom. The first floor extension would be 4.23m wide and 3m deep with a rear facing pair of windows and a fully gabled roof with ridge line below that of the main property. The ground floor extension element would have an inward sloping roof to either the first floor extension or the existing property, this roof slopes away from the side boundaries. Two high level roof lights in the west side elevation.

Following discussion, the proposal has been revised to include:

1. String courses and quoins to tie in with original features.
2. Ground floor extension roof height reduction to reduce impact on rear gable appearance.
3. Rear gable in place of hipped roof.

TOPOGRAPHY

Predominantly flat, although minor levels changes in locality.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Low mixed boundary treatments to the front, including panel fencing, hedging and a flint wall.

SITE CHARACTERISTICS

The site is occupied by one of a pair of semi detached properties. These are constructed at the front of flint with red brick quoins with slate roofs. To the rear of the subject dwelling there is a later two storey addition which is of white painted brick and it is this element which is to be extended. The premises are used as a dental surgery at ground floor with self contained flat above. The front of the site is open and used as car parking for 2 cars.

Listed Buildings in the locality are the Ormsby Centre 24m to the east of the site and with development intervening. Also, Winterton Lodge opposite the site.

CHARACTER OF LOCALITY

The character of the area is mixed and includes a Convent and community centre. The immediate area on each side of the site is comprised of pairs of two storey properties, some dwellings others business use, of similar design and materials to the application property at the front. To the rear, the character is more mixed and includes brick and flint and also render and painted brick.

RELEVANT SITE HISTORY

LU/215/87	Proposed conversion into flats making two dwellings	Refused 13-07-87
LU/460/87	Convert existing house into 2 no one bed flats and formation of 1 no garage, 1 parking space and on-site turning	ApproveConditionally 02-11-87
LU/280/00/	Change of use of existing ground floor flat to dental surgery.	ApproveConditionally 28-11-00

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council supports the application.

No representations have been received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer
Listed Building Officer
Engineering Services Manager
Engineers (Drainage)
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water has commented regarding sewers. These comments can be addressed by conditions.

The Councils Drainage Engineer has not commented.

The Conservation Officer has indicated verbally that the revised scheme is an acceptable improvement to the original scheme.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Conservation Area

Building of Special Character.

Listed Buildings & Other Buildings of Special Character Nearby

Front of Premises in Flood Zone 2, Not Rear

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

AREA2	Conservation Areas
GEN7	The Form of New Development
GEN22	Buildings or Structures of Character

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

SD SP2	Built -Up Area Boundary
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
HER DM1	Listed Buildings
HER DM2	Locally Listed Buildings or Structures of Character
HER DM3	Conservation Areas

<u>Littlehampton Neighbourhood Plan 2014 Policy 1</u>	The Presumption in Favour of Sustainable Development
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Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
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Littlehampton Neighbourhood Plan 2014 Policy 17	Buildings and Structures of Character
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD2	Conservation Areas
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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 and is 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 policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) were published for Public Consultation purposes over a six week period from Friday 12 January 2018 until 5pm on Friday 23 February 2018 and the consultation period is now over. The emerging Arun Local Plan is therefore at a very advanced stage and carries weight.

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. 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.

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).

Littlehampton has a Made Neighbourhood Plan and the proposal is in accord with its policies.

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.

Section 16(1) of the Planning (Listed Buildings & 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."

Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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 or the setting of the Grade II Listed Buildings or 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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policy GEN7 which seeks to prevent development that would have adverse impacts upon visual and residential amenities. Also policies relating to Conservation Areas and Listed Buildings. These include policies in the Emerging Local Plan which are also considerations, these also seek to ensure that development does not give rise to harmful impact to the same matters.

DESIGN AND VISUAL AMENITY

The proposed extensions by virtue of their design and the materials to be used is considered to appear well integrated and subservient to the host property and is therefore in accordance with policies. The development will not be generally visible and in addition is partially screened by a large two storey extension to the north east side. The extension will not be unduly dominant visually.

AMENITY

The development does not give rise to overlooking and is not dominant in the outlook from adjoining properties. It does not give rise to light loss and extensions to adjoining dwellings exceed its proposed depth. Potential for future overlooking can be controlled by a condition(s).

CONSERVATION AREA & LISTED BUILDINGS

The revisions to the proposal are:

1. String courses and quoins to tie in with original features.
2. Ground floor extension roof height reduction to reduce impact on rear gable appearance.
3. Rear gable in place of hipped roof.

The Conservation Officer has agreed that these revisions result in a more sympathetic and acceptable scheme. Which is well integrated with the existing building and surrounds. The proposals are not considered to be harmful to the Building of Special Character.

Given the location and well integrated/sympathetic design of the proposed extension, there is no harm to

either the setting of nearby Listed Buildings, the Conservation Area or to other nearby Buildings of Special Character.

SUMMARY

The proposed development does not give rise to unacceptable harm to visual amenity or to amenity generally and is consistent with policies.

It is therefore recommended that planning permission be granted 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

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 drawings:

Drawing Number 0228/100 Rev B - Site & Location Plan - Dated 15.01.2018
Drawing Number 0228/102 Rev D - Proposed Floor plans - Dated 15.01.2018
Drawing Number 0228/104 Rev A - Proposed Elevations - Dated 09.04.2018

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 windows other than those shown on the plans hereby approved shall be constructed at

ground or first floor level in north east side or south west side elevations of the development hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 of the Arun District Local Plan.

- 4 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, roofs and windows of the proposed development has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Conservation Area and nearby Listed Buildings by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

The development shall not be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 6 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.

- 7 INFORMATIVE: Southern Water advises that a formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. It should be noted that Southern Water is currently consulting on the New connections charging process as directed by Ofwat. Please refer to Southern Water's website <https://www.southernwater.co.uk/new-connections-charging-consultation> for further details.

- 8 INFORMATIVE: Southern Water advises that due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

- 9 INFORMATIVE: Arun District Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. See also condition number 4.