

Recommendation Report for Planning Permission

REF NO: LU/202/18/PL

LOCATION: 49 River Road
Littlehampton
BN17 5BZ

PROPOSAL: Replacement of damaged riverside extension. This application may affect the character & appearance of the Littlehampton River Road Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed alterations are limited. They include a slight decrease in height of the balcony, due to the change in profile and increase in height of the flat roof below and reconfiguration of the openings in the rear elevation. The floor area remains unaltered.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Rear to river 1 metre high concrete wall Flint wall and gate to site frontage .
SITE CHARACTERISTICS	Pitched roof 2 storey end of terrace property with brick, flintwork and clad elevations.
CHARACTER OF LOCALITY	Predominantly residential characterised by a mix of dwelling type, style and height. New dwellings to west are 4 storeys in height separated by parking area. Opposite modern flat development.

RELEVANT SITE HISTORY

LU/1/06/	Change of use of ground floor to residential, to be used as workshop, games room, utility. Bed 2 on 1st floor	ApproveConditionally 09-03-06
LU/144/97	Proposed extension to first floor to provide living accommodation	ApproveConditionally 29-10-97
LU/37/92	Proposed boat repair and joinery workshop, garage and flat	ApproveConditionally 09-09-92

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Conservation Officer

Engineering Services Manager

Engineers (Coastal Protection)

Environment Agency

CONSULTATION RESPONSES RECEIVED:

Environment Agency - No Objection

As the works are for rebuilding an existing extension without altering its dimension, a Permit for Flood Risk Activity will not be required.

Applicant is advised to sign up to the Environment Agency Flood Warning Service for the duration of the works, and take action to ensure that there is no increased flood risk to third parties as a result of carrying out the works.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Within Conservation Area

Abuts River Arun

Building or Structure of Character

DEVELOPMENT PLAN POLICES

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
HERSP1	HER SP1 The Historic Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
WDM2	W DM2 Flood Risk

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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.

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 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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 River Road 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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1, DDM4 HERDM3 and HERDM3. Policy 1 and 2 of the Littlehampton Neighbourhood Plan are also relevant to the determination of this application.

DESIGN AND VISUAL AMENITY

The site is located within the River Road Conservation Area and is a two storey dwelling within a residential area with properties of varying styles and designs. The building is defined as a building or structure of character in the Arun District Local Plan Local list and is subject to policy HER DM2 of Arun Local Plan. It lies on the southern river boundary of the Conservation Area in a prominent position, readily visible from the river as well as River Road. It is located at the western end of the Conservation Area and the un-listed traditional riverside building contributes to the character and historic interest of the area.

The proposed extension will sit in the same position and will remain the same footprint size as the existing extension and the roof will remain flat, but will no longer slope. It is proposed to use the same materials as existing and to re-fix the existing balustrading. The extension is considered visually integrated with the host dwelling. As such it is not considered to alter the appearance of the property or the spatial character of the area. It would retain and enhance the appearance of the building of special character in compliance with policy HER DM2.

The dwelling is located within the River Road Conservation Area. As the proposal replaces an existing structure and the development is modest in size with matching materials it is considered to have a positive enhancing impact on the character and appearance of the Conservation Area.

The development is deemed acceptable in terms of design and visual amenity and accords with DDM1, DDM4 and HERDM3 of the Arun Local Plan and Policy 1 and 2 of the Littlehampton Neighbourhood Plan.

FLOODING

With regard to flooding, the site is adjacent to the River Arun and located within flood zones 3a and 2 and therefore there is high risk from flooding to both the development and any future occupants. However, the Environment Agency have no objection to the proposal and therefore subject to informatives is acceptable on this basis and accords with policy WDM2 of Arun Local Plan.

RESIDENTIAL AMENITY

The proposed development replaces an existing lean to roof and will be of the same size that currently exists. It is not deemed unduly dominant and is not considered to give rise to any adverse impact upon the residential amenity in terms of overbearing, overshadowing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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:
Site Plan 1683, Elevations as Existing & Proposed: Block Plan 1683/01/02, Plans and Sections as Existing and Proposed 1683/01/01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District Local Plan.

- 3 **INFORMATIVE:**
As the works are for rebuilding an existing extension without altering its dimension, a Permit for Flood Risk Activity from the Environment Agency will not be required.

You are advised to sign up to the Environment Agency Flood Warning Service for the duration of the works, and take action to ensure that there is no increased flood risk to third parties as a result of carrying out the works.

If at any time during the works an environmental incident was to occur this must be reported immediately to the Environment Agency Hotline number 0800807060.

- 4 **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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.