

Recommendation Report for Planning Permission**REF NO:** LU/228/15/PL**LOCATION:** 10 St. Catherines Road
Littlehampton**PROPOSAL:** Conversion of Ground & First floor at the rear into two 2 bedroom flats.
Resubmission of LU/71/15/PL**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal relates to a 2 bedroom flat on each floor.
SITE AREA	Approximately 118 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	17 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing/walling to approximately 1.8m on north side rear boundary to south 1m high walling
SITE CHARACTERISTICS	Semi detached 3 storey dwelling. The rear portion of the building appears to be recently completed. Garden to rear. Some parking to front - approx. 3 spaces.
CHARACTER OF LOCALITY	Predominantly residential characterised by buildings of similar age and appearance set back a similar distance from the site frontage.

RELEVANT SITE HISTORY

LU/71/15/PL	Conversion of Ground & First floor at the rear into two 2 bedroom flats.	Refused 07-05-2015
LU/103/64	Use as home for old people	Approve 25-05-1964
LU/183/85	Extension to form 2 new bedrooms lounge and utility room	ApproveConditionally 15-05-1985

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Environment Agency

Engineering Services Manager

Engineers (Fluvial Flooding)

Environmental Health

Consultations responses received:

Environment Agency - First Consultation - Objection on the basis that a satisfactory Flood Risk Assessment is yet to be submitted.

Second Consultation - No Objection as there is no change to vulnerability to the occupants.

Engineers - No comment

County Highways - No Objection

St Catherines Road is protected from on street car parking via waiting restrictions; on street car parking can however take place on the eastern side of St Catherines Road. This application seeks the conversion to the rear part of 10, St Catherines Road into 2 x 2 bedroom houses. No changes are to be made to the existing vehicle access point, or existing vehicle parking provision.

The site is located in a sustainable location with the opportunity of trips to be made by sustainable modes of travel. No highway capacity concerns would be raised to the principle of the proposal which would see an increase in 2 dwellings at the site. No details of the site parking provision have been provided. From a desktop study it would be anticipated that the existing site parking provision could provide 2 off street car parking spaces while maintaining a turn on site or 3 spaces without a turn on site. Any on street car parking demand created by this proposal

would result in a highway safety issue the LPA would be advised to consider the implication this development would have towards on street car parking. The LPA would be advised that WSCC would anticipate two flats and a house (existing) of this size in this location would be anticipated to attract the demand for 3 vehicle car parking spaces, if unallocated.

An appropriately sized, communal or independent, secure and covered cycle parking provision should be provided in the interests of sustainability. This provision should be controlled by condition

Environmental Health - No comment offered

Comments on Consultation responses:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built-Up Area Boundary

Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN7
GEN12

Publication Version of the Local
Plan (October 2014):

The Form of New Development
Parking in New Development
D DM1 Aspects of Form and Design
Quality
D DM2 Internal Space Standards
D DM3 External Space Standards

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

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 in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. There are no policies within the Littlehampton Neighbourhood plan specifically relating to this type of 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 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.

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 mainly policy GEN7 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and GEN12 which seeks acceptable parking provision.

SITE HISTORY

This application has been submitted following refusal of LU/71/15/PL. The application was refused on the basis that the internal room sizes did not accord with the Emerging Local Plan. The agent has now increased the floor area of both flats. The lift has been removed to create more space within both flats and the floor area of Flat 2 has increased to include part of the landing and an existing toilet.

VISUAL AMENITY AND CHARACTER (POLICIES GEN7 AND GEN22, ARUN DISTRICT LOCAL PLAN)

The proposal does not include any external elevational changes and there would therefore be no adverse effect on the appearance of the building or the visual amenities of the locality. The proposal would provide 2 flat units in an area that is characterised by flat conversions. There would therefore be no adverse effect on the character of the area. Very few additional partitions would be added to subdivide the existing floor layouts.

The proposed conversion will not result in any visual or size alteration of the existing property which is noted to be of special character and will therefore not adversely impact upon the character of the building.

RESIDENTIAL AMENITY (POLICY GEN7, LOCAL PLAN)

The application is for conversion of part of the premises to 2 flats, but there is no indication as to

the use of the remainder of the premises. The extension to the rear appears to be of fairly recent construction. The application forms relate to the previous use being a rest home. The Flood Risk Assessment refers to use as an House in Multiple Occupation. There is no recent planning history. Conversion of part of the premises into flats is acceptable in principle in this location. The overall internal floor area for each flat would meet the minimum essential general internal floor area for a 2 bedroom 3 person single storey dwelling/flat as set out in policy DDM2 of the Emerging Local Plan. The standard is 61 sqm. Flat 1 has an internal floor area of 62sq and Flat 2 of 61sq m.

Policy DDM3 sets out external space standard requirements. The standard for a 2 bedroom flat is 5m2 of external space. A rear garden which includes a washing line does exist at the property, but it is not clear from the application if the proposed flats would have the ability to use the area. However the site is located close to the sea front and opposite an area of open space so the deficiency is considered to be met within the wider area.

The proposed development is considered to be comply with the emerging internal space standards. The space standards set out minimum requirements that are considered acceptable for all occupants and their changing needs. The proposed development meets these standards. The proposal would therefore be acceptable in terms of residential amenity of potential occupiers in compliance with policy GEN7 of Arun District Local Plan.

HIGHWAYS (GEN12, LOCAL PLAN)

Although no on site parking provision is available and demand for parking on road currently exceeds availability County Highways have no objection to the proposal.

FLOODING

The application is accompanied by a Flood Risk Assessment. Bedrooms and living accommodation already exist where they are proposed. There is no increased vulnerability to flooding of occupants

CONCLUSION

It is therefore recommended that the application is refused, for the following reasons.

HUMAN RIGHTS ACT

FOR APPROVAL

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 (the right to respect for 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 neutral 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).

SECTION 106 DETAILS

The proposal relates to the conversion of a former residential home to create 2 flats and therefore requires the submission of an affordable housing agreement amounting to £2958.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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 1/6, 2/6, 3/6, 4/6, 5/6 and 6/6 Internal Space Standards.

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 **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.

- 4 The flats shall not be occupied until secure and covered cycle spaces have been provided in accordance with details to be submitted to and approved by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than the parking of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of cycles in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 5 **INFORMATIVE:** This decision has been granted in conjunction with a Section 106 legal agreement relating to affordable housing.

- 6 INFORMATIVE: The Environment Agency advise that the occupants should be encouraged to sign up to Floodline Warnings Direct Service and implement a flood plan.