

Recommendation Report for Planning Permission**REF NO:** LU/254/17/PL**LOCATION:** Meadowfield House
East Street
Littlehampton**PROPOSAL:** Variation of condition 1 imposed under LU/256/02/ relating to retention of building for a further five years until 30th November 2022.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal relates to the retention of a modular building on the site for a further 5 year period.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	4-5m high trees to southern, eastern and part western boundary.
SITE CHARACTERISTICS	The site comprises a single storey business premises positioned adjacent to a road junction which is currently used as offices associated with rehabilitation use. It has a flat roof and dark brown colour elevations. Parking is situated to the front of the premises and the police station to the rear. The site is generally flat and gently sloping.
CHARACTER OF LOCALITY	The area is part of a residential/commercial street comprising a mixed character with detached and terraced properties of varying height and design set back from the highway.

RELEVANT SITE HISTORY

LU/134/02/	Erection of modular office building.	ApproveConditionally 22-07-2002
LU/256/02/	Abrogation of Condition No 1 of Planning Approval LU/134/02 dated 22.7.02 for modular office building.	ApproveConditionally 15-11-2002

The building was originally installed under permission LU/256/02.

REPRESENTATIONS

Representations received:

Littlehampton Town Council
No Objection

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways - No Objection. Meadowfield House is located from a private access road and is part of the larger police station site. The variation of condition to retain building for a further 5 years will not affect any existing parking and turning arrangements.No highway safety or capacity concerns

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Setting of Conservation Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) AREA2
GEN7

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

Conservation Areas
The Form of New Development
D SP1 Design
D DM1 Aspects of Form and Design
Quality
HER DM3 Conservation Areas
HER SP1 The Historic Environment

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

[Littlehampton Neighbourhood Plan 2014 Policy 2](#) A Spatial Plan for the Town

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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 may be 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 Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Policy 1 'Presumption in Favour of Sustainable Development' and 2 'A Spatial Plan for the Town' of Littlehampton Neighbourhood Development Plan (LNDP) are relevant to consideration of this application.

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.

Where the building is located adjacent to a Conservation Area, Section 71(1) of the 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 setting or 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

Planning Policies and Central Government Advice support the efficient and effective use of land. Policy GEN7(ii) requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics.

Policy 1 of the LNDP applies in so far as it relates to all proposals and the need to ensure that proposals accord with the principles of sustainable development. Policy 2 is relevant with reference to the reference to the community related development - the building is used by the rehabilitation service.

The building is set back from the road frontage and is located behind mature tree screening. It is also a dark brown colour which assists its assimilation into the tree screen. It is not overly dominant in the street scene given its set back position and the presence of mature trees. The proposed development is considered acceptable by reason of compliance with policies and advice because the present appearance and condition of the building are likely to remain of an acceptable standard during a 5 year time frame. However the design of the building in the long term, given its intended lifespan and the likelihood of its deterioration with the passage of time may not be appropriate beyond 5 years. The unit has already been on the site for 15 years since 2002.

The application site lies to the east and north of the East Street Conservation Area and is separated from its boundaries by East Street road and the access road to the police station. Given its screened position and maintained condition it is considered that the appearance of the building would not significantly deteriorate in the next 5 years to such an extent that the setting of the designated Conservation Area would be materially adversely affected.

The proposal is considered to comply with policies 1 & 2 of the LNDP in that it is a built up area boundary location where the proposal is a sustainable form of development, accords with policies in the ADLP and supports a community related use.

The application is therefore recommended for approval subject to the following 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 building hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 30-11-2022.

Reason: The appearance of the building, by virtue of its design and construction is likely to deteriorate and become detrimental to the visual amenities of the surrounding area and in order that the Local Planning Authority may be satisfied as to the appearance of the land after the removal of the building in accordance with policy GEN7 of the Arun District Local Plan.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Site Plan and Block Plan.

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

LU/254/17/PL

planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.