

LU/257/07/

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	- Application for the redevelopment of the site to form "56 extra care" frail elderly apartments for the elderly plus ancillary communal facilities, associated carparking facilities and landscaping (Resubmission of LU/124/07) 32, 33, 34 Fitzalan Road and 14, 16 and part garden of 18 Church Street, Littlehampton.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>A three storey terrace apartment block fronting onto Fitzalan and Church Street frontage. Additionally there is three storey apartment block stepping down to two storey flanking onto the side of 18 Church street and its garden. Within the rear garden area of 18 there is an area of carparking which is served by an access off Church Street that runs alongside 18. Within parts of both street elevations, the second floor is accommodated within a roof and dormers. The section closest to 31 Fitzalan Road is two storey with roof over and the rear end section facing onto the gardens of 18 and 20 Church Street is also two storey.</p> <p>The development will be occupied by the frail elderly. The development is to be operated as an extra care scheme. This requires it to be operated as one building to provide disabled access to all parts for its residents as well as to enable the 24 hour Manager Care Staff to provide support. Within the development, there are services, laundry, kitchen, lounge, function room and dining room. These facilities are provided within the three/two storey element facing onto 18 and 20 Church Street.</p> <p>The applicant indicates that the minimum age for occupation is usually 60 years with a spouse of 55 years the typical new resident is a widow aged 81-83. 23 spaces are to be provided with access off Church Street.</p> <p>The applicant has put forward a design justification for the proposal. The main points of which are:-</p> <ul style="list-style-type: none"> -The proposed scheme is a high quality building which makes best possible use of the opportunities and constraints of the site. The site is suitable for redevelopment being currently at least 11 dwellings per hectare. The site is suitable for redevelopment as a flatted scheme which will not change the residential character of the local and wider area. There is a requirement to reflect the existing architectural character of the area, to address the street scene and to provide a well considered and high quality scheme which allows the reinforcement of the existing mature landscaping. -The scheme has been designed to provide access to all parts of the building so that a disabled person in a
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THE SITE AND ITS SURROUNDINGS

wheelchair has full mobility throughout including access to the private amenity spaces and patio areas.

-The site has been specifically chosen for its location in relation to the local shops and community. It is a good location for such Extra-care Sheltered housing being situated within an urban area, with the facility and facilities which are so important to a satisfactory living environment for the elderly. The Site adjoins a major public transport corridor and as such, it is the type of site envisaged by planning Policy Guidance which encourages high density housing to be located close to local centres and public transport.

-The existing properties in the immediate vicinity on Fitzalan road and Church Street are an eclectic mix of houses of varying height, scale, mass alignment and materials.

-The proposed building configuration on the site addresses the two main roads, Fitzalan Road and Church Street with continuous facades, broken up into bays to give rhythm and interest to the elevations. The building turns the corner with a rendered curved element, to address the adjacent roundabout. A wing of the proposed building extends into the site towards the south east corner, enclosing a communal garden within the centre of the development.

-Overall the proposed scheme makes the best use of an existing urban site. It has been specifically designed to respond to the surrounding context and to provide a highly sustainable development. It does not cause any harm whilst providing much needed accommodation for the frail elderly. The building is a well considered high quality scheme which addresses the junction of Fitzalan Road and Church Street bringing much needed interest and variety.

Additionally a planning statement, site appraisal report and report on transport issues have been submitted. The applicant's planning statement sets out the compliance of the proposal with planning guidance and policy.

SITE AREA

0.51 hectare

RESIDENTIAL DEVELOPMENT DENSITY (NET)

110 apartments per hectare

TOPOGRAPHY

Predominantly flat

TREES

There is a Robinia Pseudoacacia in the front garden of 14 Church Street . No other trees of merit.

BOUNDARY TREATMENT

On road frontages, predominantly low brick walls with hedging behind. Within site, timber fencing separating

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THE SITE AND ITS SURROUNDINGS**SITE CHARACTERISTICS**

gardens of dwellings on site.

Site is occupied by five two storey residential dwellings with plot widths ranging from 13m being house number 14 Church Street to 18m being house number 32 Fitzalan Street. There are spaces between these dwellings at groundfloor and firstfloor level between 3 and 6 metres and in the case of the relationship between the rear of the 34 and the side of 14 Church Street a gap of 30 metres. The properties have a plot depth of 46m on Fitzalan and 74 on Church Street. The site has a combined frontage of 122m and the existing houses are set back from the back of the footpath by between 9m and 11m. The dwellings have a low percent of development footprint relative to overall plot size.

CHARACTER OF LOCALITY

The site is surrounded by residential development which has occurred over the last century. The houses are predominantly detached of one and two storeys. Pitched tiled roofs predominate, with a variety of elevation treatments including brickwork, render and tile hanging. On the Fitzalan Road frontage. On the opposite side of Fitzalan Road there are non-residential developments including the library, offices and health centre. On the opposite corner to the site, on Church Street, is a three storey development of flats. There is also a three storey flatted development at the junction of St Mary's Close and Church Street. Predominantly there are detached dwellings within Church Street.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
LU/124/07/	Redevelopment to form 65 "extra care" apartments for the frail elderly with communal facilities, access and car parking.	Refused 29 June 2007

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Littlehampton Town Council	<p>Objection – Previous comments on this application still stand.</p> <p>The previous summarised points are as follows.</p> <ul style="list-style-type: none"> -The approval of this application would have a significant negative impact on the town centre and notwithstanding the similar development on the other side of Church street would create a dangerous precedent. -The application would result in the loss of important family sized homes, the loss of which would impact significantly on the character of the town centre. The development is also overbearing with regard to neighbouring properties and is also an overdevelopment of the site. -Approval of this application would fly in the face of much of the work of the many agencies to regenerate the town, particularly

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	<p>initiatives such as the Littlehampton Vision.</p> <ul style="list-style-type: none"> -significant impact on local NHS services, particularly doctors and dentists. -anticipated that at least 60% of those people moving into such accommodation would be from outside the Town, therefore bringing greater demands on already overstretched service. These problems will be exacerbated if the Littlehampton Community Hospital is not replaced and services from Worthing Hospital reduced. -the town centre of Littlehampton needs to retain a mixture of development including quality family housing. The loss of this mix will lead to long term economic decline. -Should the application ever be successful, the Council would like to lodge its views relating to community improvements. The Health Service, Social Services and Libraries are put forward. Also bus service provision is put forward, especially as people living in these units could take advantage of free bus service. Finally, contributions should be put forward towards an improved Dairy Community Centre.
Local Groups	None
Others	<p>38 letters of objection raising the following main points of objection</p> <ul style="list-style-type: none"> -Some of the fundamental errors in the previous application have been corrected regarding that the application does not refer to 18 Church Street, the rear garden of this property is proposed car parking and the applicant has not served notice on this property. -noise, light and disturbance to the occupiers of 20 Church Street -incorrect siting of orange notices -impact on local infrastructure, local doctors, dentists and other services. -little contribution to the local economy -no detail of electrical sub-station and water pumping station. - new entrance onto Church Street with increased traffic generation being detrimental to highway safety. -the three stories is too high and the design poor. -inadequate car parking -loss of attractively designed family homes -St Mary's Close is an eyesore. -disruption arising from building works -lack of need for elderly accommodation, a recent permission for elderly flats is being constructed at St Mary's Close -adjacent an Area of Special Residential Character. -risk to the rebuilding of the community hospital -loss of wildlife -impact on sewerage system -loss in property values -lack of notification for everyone of the exhibition of proposals prior to application

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Environment Agency	No objection subject to condition relating to drainage provision of surface and foul works
County Planning Officer	Views awaited . On previous application indicated :- No strategic planning objection as complies with the objectives of the adopted West Sussex Structure plan subject to compliance with following specific policies DEV1, DEV4, DEV5, ERA2, CH1 and CH7. In the event of planning permission, conditions and informatives are recommended relating to archaeological investigation, protection of trees and wildlife.
Parks and Landscapes	There is a Robinia Pseudoacacia in the front garden of 14 Church Street which is worthy of retention, this should be possible within the proposed plan. No other trees were deemed worthy of retention. A landscaping scheme is recommended along with protection of retained trees including adjacent properties in accordance with BS5837:2005 "Trees in relation to construction" and a root protection plan.
County Highways	No objections following the submission of Transport Report, including a stage 1 Safety Audit. Conditions recommended.
Sussex Police	Location is a medium risk crime area. Suggest preventing free access to the rear of this proposal by the provision of 1.5m high wooden palisade gates/fencing adjacent to the battery car store and Dining room. The main entrance needs to be controlled by way of audio/visual access control and any trades button needs to be coded and not timed. The fire escape routes (stairs 1, 2 and 3) should be devoid of any external furniture and they should be alarmed back to the office. Signage should be displayed, warning residents of the consequences of opening these doors other than in an emergency. All the final exit doors to this project are outward opening so would benefit from hinge bolts to protect the hinge side. The kitchen doors should also be controlled for staff access only. It is within my knowledge that all ground floor flats are alarmed and in addition all flats have individual personal alarms.
Southern Water	No objection subject to informative regarding ensuring adequate connections subject to the public sewerage system.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Class C Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1, DEV3, DEV5, NE1, NE3, NE13, NE17, CH1, CH7,
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DEVELOPMENT PLAN POLICIES

ERA1

Arun District Local Plan : GEN2, GEN7, GEN8, GEN12, DEV17

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
 PPS 3 - Housing
 PPG13 - Transport

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.

PPS3 published November 2006 introduced a national indicative minimum threshold for 15 dwellings. Following the introduction of a national indicative threshold, the Council considered provision of affordable at Full Council on 21 February 2007 where it was agreed that 40% affordable housing provision would be sought from developments of 25 dwellings or more based on evidence obtained by the Council on housing need in the District.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Two orange notices have been erected on site in accordance with Council's procedures. They have been erected on the nearest available street furniture.

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 conflict with relevant Development Plan Policies in that the proposal has a mass, bulk, scale and height out of character and appearance with the context of the area and makes no provision for affordable housing provision through a legal undertaking.

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.

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CONCLUSIONS

The application site lies within the built-up area where there is a presumption for development subject to consideration of normal development control criteria such as the impact on the character and appearance of the area, and affordable housing provision. Policy GEN2 of the Arun District Local Plan indicates that development will be permitted within the built-up area boundaries subject to the other policies of this plan. Policy LOC1 of the West Sussex Structure Plan indicates new development should be permitted within built-up boundaries provided that the impact on the character of the area and the environment, resources and assets of the County are acceptable.

Both PPS3 further encourages the effective use of land by re-using land that has been previously developed and that good design is in fundamental to using land efficiently. In making effective use of land, indicates that 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision-making until local density policies are in place. The statement also indicates consideration needs to be given to an up-to-date deliverable supply of sites subject to consideration of a number of criteria including achieving high quality housing. On Affordable Housing, a threshold has been set at 15 dwellings.

Since refusal of LU/257/07, the applicant has made changes to the scheme by reducing the number of units by 9. On the West Fitzalan Road elevation, this included the deletion of a projecting gable, introduction of a revised three storey element, consisting of a third storey in the form of dormers, and an amended element being two-storey with roof over flanking 31 Fitzalan Road. On the north Church Street elevation, these changes include a revised three storey elements with third floor dormers and a stepped back glazed element. On the east elevation facing the gardens of 18 and 20 Church Street, the three storey elements on the previous scheme have been amended to two and half storey. It is acknowledged that these changes assist in reducing the visual impact but not to a sufficient degree to overcome all the previous reasons for refusal on the Church Street frontage. On this frontage, it is considered that bulk, mass, scale and height adversely affects the character and appearance of the streetscene.

On the east elevation facing the side of 18 Church Street the apartment block measures 50 metres in length, 10-15 metres in width and 8.2-9.6m in height. Although it is accepted part of the width of the block on the Church Street frontage is hidden by the nature of the scheme, it is considered that the mass, bulk, scale and height proposed will be detrimental to the context of the area. Church street consists predominantly of detached two-storey dwellings interspersed by gaps. Although the frontages have been broken up by stepped back gables, gables, change of materials and other features, these are not considered to minimize the mass, bulk, scale and height to an acceptable degree. The glazed link is not considered to break up this elevation due to its size, siting and box-like design.

Fitzalan Road has more town like appearance due to the wider variety of building forms and uses. Although characterized by predominantly two-storey development interspersed by gaps, there are larger two storey, two and half and three storey developments. Planning permission has been granted for a community hospital opposite the site but for mainly a two storey recessed development with some three storey. Given the changes that have been made and the context, it is considered that this Fitzalan elevation is acceptable.

As submitted, no affordable housing provision has been made with this application in accordance with policies and PPS3. Therefore a reason for refusal is recommended. However the applicant is in negotiations with the Council over the payment of a commuted sum to provide affordable housing off-site. If agreement is reached then this reason for refusal would no longer be relevant.

County highways have raised no objection on the grounds that the proposal demonstrates that

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CONCLUSIONS

highway safety is not adversely affected through the submission that a Stage 1 Safety Audit has been submitted with plans showing visibility requirements and access arrangements.

It is therefore recommended that the application should be refused for the reasons set out overleaf.



RECOMMENDATION

TOWN AND COUNTRY PLANNING ACT 1990

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RECOMMENDATION

1 To Addressee

2 Site Address

32, 33, 34 Fitzalan Road & 14, 16
& part rear garden of 18 Church Street
Littlehampton

3 Description of Development

Application for the redevelopment of the site to form "56 extra care" frail elderly apartments for the elderly plus ancillary communal facilities, associated car parking & landscaping
(Resubmission of LU/124/07)

4 In pursuance of their powers under this Act and related Orders and Regulations the Council REFUSE to approve the development as described in the application and plan for the reasons stated.

RECOMMENDATION

- REASON 1** By reason of its height, scale, bulk and mass the proposal represents an overdevelopment of the site on the Church Street frontage which would cause serious harm to the character and appearance of the area. The proposal is therefore contrary to policies LOC1, DEV1, CH1 of the West Sussex Structure Plan and policy GEN7 of the Arun District Local Plan.
- REASON 2** The development proposed generates a need for public infrastructure in the form of affordable housing. No section 106 agreement has been agreed for affordable housing. The development therefore is contrary to the policy adopted by Arun District Council on 21 February 2007 to seek affordable housing on all schemes over 15 units taking into account as a material consideration of significant weight Policy DEV17 paragraphs 2, 3 and 4 (excluding first sentence) Planning Policy Statement 3 Housing whereby Councils are encouraged to seek by way of a Section 106 agreement a contribution towards providing affordable housing and taking into account evidence obtained by the Council on housing need in the District and on the economic viability of seeking 106 contributions for affordable housing schemes taking into account land values in the District.

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
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West Sussex BN17 5LF

Case Officer: Mr J Parsons

8th October 2007

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT