

Recommendation Report for Planning Permission

REF NO: LU/267/17/PL

LOCATION: Chilgrove House
Kimberry
Littlehampton
BN17 7JD

PROPOSAL: Change of use of ground floor from community centre (D2 Assembly & Leisure) to 2 No. flats (C3 Dwelling Houses), single storey rear extension with renewal of existing windows to match existing, remodelling of existing entrance of East elevation including new front & rear doors & new canopy.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The applicant in this case is the housing department of Arun District Council. The proposal relates to a change of use and single storey rear extension measuring 6.9m wide by 3m deep and has a height of 2.8m and a canopy extension at the front measuring 2.4m high, 3m wide and 2.3m deep to create 2 flats comprising one no 1 bed and one no 2 bed flat.
SITE AREA	0.12 hectares
RESIDENTIAL DEVELOPMENT DENSITY	16 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Varied. Some walling, hedging/fencing/verges.
SITE CHARACTERISTICS	Detached block of flats 3 storeys high with painted rendered elevations in a communal landscaped/grassed area with car parking area to west. Garage compound to north.
CHARACTER OF LOCALITY	Predominantly residential. Mix of houses and flats. Varying in height and design. Funtington House opposite is similar in appearance.

RELEVANT SITE HISTORY

LU/51/12/	Fitting of external wall insulation to flats.	ApproveConditionally 30-05-12
LU/47/98	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for enclosing of existing external staircase (Re-submission of LU/123/97).	Deemed Perm Cnd 21-04-98

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

No Objection - Whilst satisfied that the current use of the premises was exhausted, Members would like to see the accommodation adapted for occupation by people with disabilities. It is also requested that steps are taken to minimise the impact of the construction phase on neighbouring residents. No planning notice was observed at the site.

2 Objections

Health will suffer as a result of the building works.

The associated noise will be a disturbance.

Soundproofing to ceiling should be carried out before works start.

A crack has appeared in the wall since cladding took place.

Severe sleep deprivation means I often need to sleep at 8am. Consideration of the start time of work should be given.

Parking is limited and parking facilities should not be eroded.

The building has a design fault since noise travels easily through it.

COMMENTS ON REPRESENTATIONS RECEIVED:

The application was advertised in accordance with procedure and 2 notices were displayed at the site.

A condition is recommended limiting the hours of construction work which will have the effect of restricting noise and disruption to reasonable hours for residents from building works.

One of the flats has disabled access.

Damage to property is a private matter and not a material planning consideration.

No additional car parking is proposed. The car parking demand for 2 spaces resulting from the 2 flats needs to be offset against the existing use as a community centre and is not considered to be significantly greater than that or to generate a demand that cannot be met on adjoining roads without causing harm to residential amenity.

Sound insulation between flats is covered by Building Regulations.

CONSULTATIONS

Environmental Health

Estates Manager

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection. Suggested conditions relating to submission of a Construction Management Plan and hours of operation.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Requested condition regarding hours of operation has been imposed, but a construction management plan is considered to be too onerous and unreasonable for a development of this limited scale.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Class C road

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

GEN7	The Form of New Development
GEN12	Parking in New Development
GEN32	Noise Pollution

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

D SP1 Design
D DM1 Aspects of Form and Design Quality
D DM2 Internal Space Standards
D DM3 External Space Standards
D DM4 Extensions & Alterations to Existing Buildings
QE DM1 Noise Pollution

[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

Littlehampton Neighbourhood Plan 2014 Policy 6

Residential development involving the loss of community facilities

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 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.

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. The examination was completed in September 2017.

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) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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. 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 'The Presumption in Favour of Sustainable Development' Policy 2 'A Spatial Plan for the Town' and Policy 6 'Residential Development involving the loss of Community Facilities' of Littlehampton Neighbourhood Plan are considered relevant to the determination 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.

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 boundary where development is acceptable in principle subject to development plans policy being met.

BACKGROUND

The application site is owned by the Council and the application is therefore being referred to Committee for a decision. The proposal is a Regulation 3 application under the Town and Country Planning General Regulations 1992.

The application was originally on the agenda for the Development Control meeting on 13-12-2017. It was withdrawn from the agenda prior to Committee to allow for receipt of additional information clarifying the position of the extensions on the full elevations of the building. This information has now been received.

The agent has advised that when Chilgrove House was first built it provided an element of temporary accommodation. The lounge was a communal area for the residents of Chilgrove House and included the wardens offices. The warden held coffee mornings and mother and toddler groups. The use later changed from temporary accommodation to general needs and a local group received charitable funding to run various community based activities from the lounge. The funding paid for a full time employee who ran different groups. After a year the group did not secure any further funding so the lounge was closed.

Later a local volunteer offered to run different groups from Chilgrove House. This included art groups, sewing classes, mother and toddler groups and a drug counselling service. During this time there were a number of noise complaints about the groups and regular intervention from Housing was necessary. In March 2016 a new volunteer agreed to take over responsibility for the Lounge. By this time most of the activities had ceased and the Lounge was being used on a very sporadic basis and was restricted to a mother and toddler group only. At the beginning of 2017, Age UK started to use Chilgrove House as the Tamarisk Centre was closing. They used the lounge twice a week. In June they decided the venue was not appropriate for their needs. A drug rehabilitation service, Smart Recovery used the Lounge for one afternoon per week.

This is all evidence of the redundancy of the site for community use.

LOSS OF COMMUNITY FACILITIES

The loss of a community facility needs to be considered in relation to policy 6 of Littlehampton Neighbourhood Plan which states "There will be a presumption against residential development that involves the loss of existing community facilities unless satisfactory proposals for the relocation of those community facilities have been implemented".

In this particular case The Keystone Centre and the Wickborne Centre are in close proximity to the site.

The Wickborne Centre is professionally run and holds a variety of sessions for all sections of the community. Alternative provision is therefore available and from the information submitted by the agent in support of the application there is no unmet demand for the former facility and the proposal is not therefore considered to conflict with this policy. The application site has been under-utilised for a number of years and even professional organisations were unable to generate sufficient interest.

The Housing Management Team have concluded that additional housing is of far greater benefit to the local community than a lounge facility that risks duplicating the work of Wickbourne House. They have identified that there is a well-documented shortage of social housing in the Arun District. There are 1300 applicants with an identified housing need on the housing register. 31 households are currently in bed and breakfast accommodation. 750 homeless households applied to the Council for assistance in the last financial year. This proposal would help to meet some of this demand and comply with policy 6 of the Littlehampton Neighbourhood Plan.

VISUAL AMENITY AND CHARACTER OF THE AREA

The design, scale and size of the single storey rear extension and front canopy are considered to be sympathetic to and in keeping with the existing building and would appear visually integrated. The elevation materials of the single storey extension are conditioned to match the existing to further help in this regard. The extensions would be at ground floor level only and the resultant built form building would not appear overly dominant in relation to the surrounding development. The proposal would make efficient use of land and would respond positively to the characteristics of the area. The application is therefore considered to comply with policy GEN7 of Arun District Local Plan.

RESIDENTIAL AMENITY

The proposal would provide 2 additional units of accommodation. The one bedroom flat would have a gross internal floor area of 51m² and the 2 bedroom flat would have an area of 70m². The Nationally described Space standards require 50m² for a 2person 1 bedroom flat and 70m² for a 2 bedroom 4 person unit. Accordingly both units meet the standards.

With regard to external space standards a one bedroom apartment requires 4 sqm of external space and a 2 bedroom flat 5 sqm. No outdoor space is being provided, but the properties would replicate the existing flat provision and would have access to the communal space surrounding Chilgrove House.

The rear extension would project 3m from the rear elevation, but would have a limited height of 2.8m. Given that it is generally accepted that boundary fencing up to 2m in height can be erected on a shared boundary and that the adjoining openings in the neighbouring flat to the south serve a bathroom approximately 0.5m from the boundary and, to the north a ground floor window and door more than 1m from the side elevation of the extension, it is not considered that any materially adverse overbearing impacts would result to the adjoining flats. In addition given that the extension is single storey and there are no windows in either of the side elevations no materially adverse overlooking would result to neighbouring dwellings.

HIGHWAYS

Chilgrove House is located adjacent to a communal parking area. The proposal makes no provision for additional car parking. However, the parking demand generated by the previous use as a wardens flat and community use needs to be considered. The car parking demand for 2 spaces resulting from the 2 flats needs to be offset against the previous use and is not considered to be significantly greater than that or to generate a demand that cannot be met on adjoining roads without causing harm to residential amenity.

CONCLUSION

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 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

Location 269009001
OS Site Plan 269 009 002A
Existing Layout and Elevations 269 009 003B
Proposed Layout and Elevations 269009004B.

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 operations authorised or required under this permission shall take place except between the hours of 8:00 to 18:00 hours Monday to Fridays inclusive and 8:00 to 13:00 hours on

Saturdays. No working, including maintenance of vehicles, plant or machinery, shall take place on Sundays or any Public or Bank Holiday.

Reason: In the interest of the residential amenities of adjoining properties in accordance with policy GEN7 of Arun District Local Plan.

- 4 The materials and finishes of the external walls of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 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.