

Recommendation Report for Planning Permission**REF NO:** LU/26/12/**LOCATION:** 16 Fitzroy Court
St Marys Close
Littlehampton**PROPOSAL:** Replacement of windows with PVCu windows on second floor flat**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	N/A
BOUNDARY TREATMENT	The front of the site is open with the building facing onto lawns that border the road. There is approximately 1.8 metre high timber fencing to the rear.
SITE CHARACTERISTICS	16 Fitzroy Court is a 2nd floor flat that is contained within a three storey block which has red brick elevations and a shallow pitch gable roof.
CHARACTER OF LOCALITY	The site is located on a residential road that possesses dwellings of a variety of designs and scales. There is a group of three storey flat blocks to the northern end of the street. Buildings are generally set back from the road.

RELEVANT SITE HISTORY

LU/121/03/	Replacement entrance porches.	Approve Cond 27-05-2003
LU/22/07/	Replacement windows to common areas	Approve Cond 16-03-2007
LU/191/09/	Replacement windows.	Approve Cond 06-10-2009

REPRESENTATIONS**Representations received:**Littlehampton Town Council
No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)

[GEN2](#)

The Form of New Development

Built-up Area Boundary

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

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.

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

The proposal involves replacement windows on the south and north elevations of the flat. The south facing windows face directly towards the road and can be seen as there is no formal boundary treatment.

It is considered that the proposal will not have a detrimental impact on the character and appearance of the surrounding area. The windows will be of a slightly different design to the existing, but would not be unacceptable within the building. It is also noted that a number of other

flats within the block have had replacement windows installed and that these are of a mixture of styles.

It is therefore recommended that the application be approved, subject to the following conditions.

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:

Drawing No. 11065/01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.