

Recommendation Report for Planning Permission

REF NO: LU/282/19/PL

LOCATION: The Swallows
St Catherines Road
Littlehampton
BN17 5HJ

PROPOSAL: Replacement of 6 No. windows in communal hallway from single glazed in wood frames to double glazed PVCu.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace 6 windows, currently serving the communal hallways of the blocks of flats.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is open plan.
SITE CHARACTERISTICS	The site is populated by two building, forming blocks of apartments.
CHARACTER OF LOCALITY	The application site is located within an Area of Special Character.

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Parish Council - Objection

- The design of the proposed replacement windows is not in accordance with the existing.

Littlehampton Heritage Group - Objection

- The site is within an Area of Special Character.
- The large panes of glass characterise the building frontage, with the proposed units having a more busy appearance.
- The current design complements the open and spacious character of the area.

2 letters of objection from 1 household:

- The existing building is very well proportioned and finely detailed.
- The existing windows add quality to the appearance of the building.
- The proposed uPVC windows would detract from the appearance of the building.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. Whilst it is noted that the Parish have objected to the application, this application can still be determined under delegated power, as per the constitution, dating 16th of January 2019.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designation applicable to site:

Area of Special Character

Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[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	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

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).

Littlehampton has a 'made' neighbourhood development plan, of which, Policy 1 and Policy 2 have been taken into account during the determination of the 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 the proposed development is not considered to result in any significantly harmful impact upon the character of the host building, or the surrounding area. Furthermore, the proposal is not considered to have a detrimental impact upon the Area of Special Character, in which it is sited.

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1, D DM4 and HER DM4 of the Arun Local Plan. Additionally, Policy 1 and Policy 2 of the Littlehampton Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HER DM4 of the Arun Local Plan relates to applications within Areas of Character. Proposals will be granted subject to the retention of buildings and other features which make positive contributions to the special character of the area, maintenance of an appropriate mix of uses, and where possible, enhance the special character of the area.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development within the built up area boundary.

DESIGN AND VISUAL AMENITY

The application site is located within an Area of Special Character. This area is character by large, mostly Edwardian, detached and semi-detached properties. The part in the Area designation relating to window states that the area is largely host to vertically sliding sash windows, with very few examples of

uPVC windows. The application site is located in the North Eastern corner of the Area of Special character, and is host to two large, apartment blocks built in the 1970s, featuring uPVC windows, serving the apartments themselves.

The proposed development is not considered to have any significantly harmful impact upon the character of the host building, or the Area of Special Character in which it is located. This is due to the fact that there are examples of a similar materials existing on the host building, and on other buildings within the area. With regard to the design of the glazing bars, it is noted that the proposed style does differ from those existing on the property, however, due to the modest size of the opening, the set back nature of the buildings and the fact that all replacement windows are going to be of same design the proposed development is considered to appear sympathetic to the character of the existing building.

The proposed development is considered to be in accordance with D DM1 and HER DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the occupiers of nearby dwellings. This is due to its lack of built form. Furthermore, the proposal is not deemed to result in any loss of privacy to nearby occupiers, in that the windows are in locations to replace those existing on the buildings.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is 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

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:

- Block Plan - 0100042766
- The Swallows - Proposed New Windows - Flats 1-6
- The Swallows - Proposed New Windows - Flats 7-12
- The Swallows - Proposed New Windows - Flats 14-19

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun 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.