

Recommendation Report for Planning Permission

REF NO: LU/301/21/PL

LOCATION: Flat
51 Pier Road
Littlehampton
BN17 5LP

PROPOSAL: Alterations to fenestration and installation of new stairs to rear

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Demolition of existing garage, removal of external spiral staircase, proposed rear extension to accommodate new staircase to serve the first floor and alterations to the front first floor fenestration. The extension will measure a total of 8.1m in length by 3.3m in width, the extension will have a mono-pitched roof.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	The site is mixed use with restaurant and store at basement and ground floor level and a residential maisonette at first and second floor levels.
CHARACTER OF LOCALITY	Mixed use

RELEVANT SITE HISTORY

LU/367/17/PL	Change of use of first floor flat (C3 Dwelling House) to restaurant (A3 Food & Drink) & ground floor rear extension and alterations to front elevation.	ApproveConditionally 15-03-18
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Noted

REPRESENTATIONS

Parish Council - No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

2km buffer zone SSSI

Economic growth area.

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)

[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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

SPD13 Arun District Design Guide (SPD) January 2021

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.

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

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

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.

Part J.02 relates to building design and their scale and massing and states that development for new buildings or extensions to existing properties should have an appropriate scale determined by their context, function and positioning stating that buildings within coastal towns will tend to have a larger scale.

Policy 1 of the Littlehampton Neighbourhood Development Plan (LNP) 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. There are no other relevant policies in the LNP for this application and none of the exceptions apply.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development in the built up area boundary (BUAB). The application site is located within the BUAB.

DESIGN AND VISUAL AMENITY

To the rear of the building is a tandem garage which will be removed and replaced by 2 parking spaces on site. The like for like replacement of spaces and the ease of open parking over a tandem garage (which is narrow by modern standards) is seen in a positive light and accords with Arun's Parking Standards.

The proposed rear extension has been sensitively design to include a mono-pitched roof hiding a flat roof behind. It has also been designed to be subservient to the host dwelling in that its roof height is significantly below the 4-storey building and it will be constructed of materials appropriate of its location. From the rear access view point it has the effect of consolidating lots of piecemeal development and generally provides good visual integration.

The extension will accommodate an internal full-sized staircase, which is seen to be a positive addition to the residential accommodation over the existing spiral stair access.

To the front of the application property a new set of bifold doors will replace an existing square bay window which will be highly visible from the street. The proposed bay will increase in size from 1.8m to

4.1m with the opening increasing by 400mm and include bifold doors rather than standard height glazing. There are various styles of bay/casement windows along Pier Road. The materials chosen will be a departure from the existing finishes and will take a more modern approach. However, there are various styles and finishes along Pier Road already existing as well as various fascia signs of differing styles and colours meaning that this will not be a discordant feature within the street scene.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 and D DM4 of the Arun Local Plan, Part J Arun Design Guide and policy 1 of the LNP.

RESIDENTIAL AMENITY

The proposed rear extension will be located adjacent to the southern boundary of the site, with a gap of 1.2m to the northern boundary. It is therefore considered that the level of overshadowing to the property to the north will be limited.

The application site is situated within a highly built up area, adjacent to properties which have been the subject of various extensions in the past. Part J of the Design Guidance suggests that the surrounding context is taken into account when deciding if the scale and massing of a proposal is suitable. Due to the high density nature of the area this extension to the boundary adjacent to the rear of the building, is considered acceptable.

No habitable space will be created with the proposed rear extension as such no negative impacts from overlooking are foreseen. The additional opening space created and the proposed new rooflights to the front elevation of the property will overlook the road and river frontage and will therefore not be afforded any views which are a different to that existing.

An access door has been provided to the northern elevation so that maintenance can be performed when needed on the flat roof and ventilation duct located above. It will be conditioned so that access onto the roof will only be for repairs and maintenance and to stop the roof becoming a balcony or similar.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (c) of the Arun Local Plan and Part J Arun Design Guide.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 and Block Plan 2345-P-01
- Proposed Plans and Elevations 2345-P-03 Rev A
- Design and Access Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part J of the Arun Design Guide.

- 3 The proposed access to the northern elevation hereby approved onto the existing rear ground-floor flat roof, shall only be used as a means of access for the purposes of repairs and maintenance to the roof, the equipment installed to the roof and the rear of the building. At no times shall the roof top be used as a balcony or terrace area without the written approval of the Local Authority.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with D DM4 of the Arun Local Plan.

- 4 **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.