

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: LU/312/20/HH

LOCATION: 18A River Road
Littlehampton
BN17 5BN

PROPOSAL: Part conversion of garage to create an self contained annex

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to partially convert the garage to create a self contained annex.

RELEVANT SITE HISTORY

LU/378/14/PL	Erection of 1 No three storey detached house (resubmission following LU/195/13/). This application affects the character & appearance of the Littlehampton River Road Conservation Area.	ApproveConditionally 27-02-15
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REPRESENTATIONS

Littlehampton Town Council - No objection.

2 letters of objection:

- Access for wheelchair.
- If granted, it will set precedent.
- Insufficient parking.
- The building is already a flat/Airbnb.
- The application in 2014 prevented living accommodation on the ground floor.
- The application prevented the parking area from being used as anything other than for parking.

2 letters of support:

- This is a good development.
- There is access for less-able occupants.
- The development is in a sustainable location.
- The application will improve the lives of the family members who will occupy it.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex Highways - No objection.

POLICY CONTEXT

Designation applicable to site:

Within built up area

Within Conservation 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)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas
TSP1	T SP1 Transport and Development

[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:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and 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 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 proposed development is considered to have an acceptable impact upon the character of the area. This is because the physical alterations in order to allow for the application to take place are internal only and there are no visual changes which affect the appearance of the host dwelling within the public realm.

The additional amount of living accommodation to be provided is not so significant so as to result in an overintensification of the use of the host dwelling detrimental to neighbouring amenity. A condition will be imposed in order to ensure that the annex cannot be used as a separate unit of accommodation to 18A River Road. As such, this condition ensures that the proposal will be used exclusively for the uses proposed under the application as opposed to becoming a separate unit of accommodation where neighbouring amenities could be unacceptably harmed.

The proposed development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan, and the guidance within Section M and N of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon occupiers of nearby occupiers. This is because the proposal does not result in any built form to cause any harmful impact to neighbouring occupiers. Furthermore, the proposal is of single storey nature, so it not considered to result in a loss of privacy to neighbouring occupiers.

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

OTHER MATTERS RAISED

The creation of additional ancillary accommodation is not considered to generate additional on street parking such to warrant refusal of the application. The alleged use of the property as an airB&B does not normally require planning permission.

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:

 - Site Plan
 - Proposed Ground Floor Plan - 24/12/2020
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 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 18a River Road, Littlehampton as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.
- 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.