# PLANNING APPLICATION REPORT

**REF NO:** **LU/341/09/**

**LOCATION:** Flat 4 16 South Terrace
16 South Terrace
Littlehampton

**PROPOSAL:** Variation of condition 4 of planning approval LU/195/09/L to extend period for removal of flue until 31.12.2010

## SITE AND SURROUNDINGS

| | |
|---|---|
| DESCRIPTION OF APPLICATION | As above. |
| SITE AREA | N/A |
| RESIDENTIAL DEVELOPMENT DEN | N/A |
| TOPOGRAPHY | Predominantly flat |
| TREES | None affected by the proposed development. |
| BOUNDARY TREATMENT | Cast Iron railings to the front of the site approximately 1.5m high. |
| SITE CHARACTERISTICS | Mid terrace 4 storey Grade II Listed Building. Rendered elevations, hipped slate roof, flat roof dormers. 1st floor balcony. |
| CHARACTER OF LOCALITY | The site is located within a Conservation Area. Characterised by 3-4 storey terraced properties. Tennis courts opposite the site. |

## RELEVANT SITE HISTORY

| | | |
|---|---|---|
| LU/195/09/L | Application for Listed Building Consent for internal works. | Approve Cond 05-10-2009 |

## REPRESENTATIONS

**Representations received:**
Littlehampton Town Council
No objection
**Comments on Representations received:**
Noted

## CONSULTATIONS

Conservation Area Advisory Com
**Consultations responses received:**

Conservation Area Advisory Committee: No comment.

**Comments on Consultation responses:**

Comments noted

## POLICY CONTEXT

Designation applicable to site:
Within the built-up area boundary
Grade II Listed Building

## DEVELOPMENT PLAN POLICIES

| | | |
|---|---|---|
| South East Plan: | | |
| Arun District Local Plan: | GEN2 | Built-up Area Boundary |
| | GEN7 | The Form of New Development |

## PLANNING POLICY GUIDANCE

| | |
|---|---|
| PPS1 | Delivering Sustainable Development |
| PPG15 | Planning and the Historic Environment |

## 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 with specific regard to impact upon the Listed Building.

## 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 Conservation Area.

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
The proposal is considered to comply with these criteria in that the works will be undertaken to remove the redundant flue to the front of the Grade II Listed Building.

## 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 seeks permission to extend the time period of condition 4 of LU/195/09/L which relates to the removal of an existing redundant gas boiler flue. The applicant wishes to extend the time period for the removal of the flue until 31-12-2010.

The applicant states that the work cannot be carried out and made good to a satisfactory level at present due to the inaccessibility of the flue without the need for scaffolding and it would be more appropriate to wait until the house is painted/renovated. The flue has been in position prior to the previous application, therefore the extension to the period of time for the removal of the flue is considered to be acceptable.

The removal of the flue will enhance the appearance of the Listed Building and therefore a new condition will be attached to an approval requiring the works to carried out to a level which is satisfactory to the Local Planning Authority by 31-12-2010.

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

**RECOMMENDATION**

**APPROVE CONDITIONALLY**

1 The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with policy GEN7 of the Arun District Local Plan.

3 The reconstruction making good of the building to complete the execution of the works for which consent is hereby granted shall be carried out as far as may be practicable with original materials. Any variation from the original materials must be with the written approval of the Local Planning Authority.

Reason: To preserve the appearance and special character of the building for the future in accordance with policy GEN7 of the Arun District Local Plan.

4 The existing flue within the front elevation of the property shall be removed by the 31-12-2010, and the wall made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with policy GEN7 of the Arun District Local Plan.

5 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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, DEV14

NATIONAL POLICIES: PPS1, PPG15

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

6 INFORMATIVE: The conditions of this approved application replace those on LU/195/09/L.