

Recommendation Report for Planning Permission

REF NO: LU/36/18/PL

LOCATION: 2-6 Beach Road
Littlehampton
BN17 5HT

PROPOSAL: Replacement of existing timber windows to front elevation with PVCu double glazed frames.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The proposal relates to the replacement of 16 windows on the front (east) elevation at first and second floor level. They will be altered from single glazed timber windows to double glazed pvcu and would retain a similar pattern to the design.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front elevation abuts pavement
SITE CHARACTERISTICS	Older style mid terrace 3 storey property
CHARACTER OF LOCALITY	Town centre characterised by retail uses at ground floor and residential/commercial uses above

RELEVANT SITE HISTORY

LU/38/18/PL	Replacement of existing timber windows to rear elevation to PVCu double glazed frames.	ApproveConditionally 28-06-18
LU/404/17/PL	Removal & replacement of single storey outbuilding in retail use, removal of substandard first floor extension to flat No. 1 & structural repairs to existing main pitched roof.	ApproveConditionally 13-02-18

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Building of Character

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN22 Buildings or Structures of Character
GEN7 The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality
D DM4 Extensions & Alterations to Existing Buildings
HER DM2 Locally Listed Buildings or Structures of Character
HER SP1 The Historic Environment

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 17 Buildings and Structures of Character

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October

2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

Policy1 and policy 17 Buildings and Structures of Character of Littlehampton Neighbourhood Plan are relevant to consideration of this 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 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 or the 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 property is designated as a Building of Special Character and the front elevation is readily visible in the street scene.

In principle, there is no objection to the installation of double glazed replacement windows, provided they are of historically appropriate design and materials. Fenestration is a defining feature of a building. UPVC is generally resisted on heritage assets as it is a modern 'anywhere' material, devoid of local character and generally inappropriate to the local context. Replacement frames in prominent elevations should generally be of comparable materials and similar appearance to the original windows and thus reasonably consistent with the initial architectural intention. In this particular location there are numerous examples of upvc window frames.

Para. 132 of the NPPF requires great weight to be given to the conservation of designated heritage assets and notes that significance can be harmed or lost through inappropriate alterations.

The proposed windows would replace the existing single glazed timber windows which were installed some time ago. They are prominently sited on the building and are readily visible in the street scene and the public realm. Their identical design contributes to the building's character. However the proposed replacement window design would match the existing and it is therefore considered appropriate and would have no materially harmful; adverse effect on the character of the building or the appearance of the area generally where the street scene of both sides of Beach Road is characterised by windows with upvc frames.

Other windows to the rear of premises in Beach Road are upvc and the use of such material is established as part of the appearance of the area. On this basis it is considered that the change from timber to upvc would not be inappropriate or out of keeping with the character of the building or the visual amenities of the locality.

The retention of the window pattern is referred to on the proposed elevation plan and will ensure that the windows do not appear that dissimilar in appearance to the existing windows being replaced.

The proposal would therefore comply with policies GEN7 and GEN22 of Arun District Local Plan and policies DDM1, DDM4, HERDM2 and HERSP1 of the emerging local plan and Policies 1 & 17 of Littlehampton Neighbourhood Plan.

The application is therefore 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

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:
Elevations as Existing 030417/SY08 , Site and Location Plan, Elevations as Proposed Elevations 030417/SY06'A, Frame and Window Cross Section Details.

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

- 3 The style and pattern of the replacement windows hereby approved shall match the style and pattern of the existing windows of the building which are to be replaced.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District 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.