

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

REF NO: LU/52/21/HH

LOCATION: 18a River Road
Littlehampton
BN17 5BN

PROPOSAL: Internal changes to a house involving the replacement of bedroom 2 from second floor to first floor and creation of kitchen/dining area at second floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

LU/312/20/HH	Part conversion of garage to create an self contained annex	ApproveConditionally 10-02-21
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

REPRESENTATIONS

Littlehampton Town Council: An objection.

Would have an adverse impact on residential amenity of the neighbouring properties. The Committee maintained its concerns about the impact of ongoing development of this site in terms of the parking and the apparent flouting of previous conditions that had been imposed.

2 letters of objection:

- Parking on River Road is at a premium and the current use of the building adds more vehicles parking on the street. The integral garage is now unusable.
- Since 2019, this building has been let as three Airbnb flats, details of which appear on the Airbnb website. Planning permission is not required to list accommodation on Airbnb but the original permission for this building was for a single dwelling not for three flats.
- Some conditions placed on previous application approvals are in breach.
- Original application was for one two bedroom dwelling with two parking spaces underneath.
- The compliance has been lodged last year and since the applicant has made several planning changes to use.
- It has been built and operated as three separate accommodation as Air BNB properties.

- The building has multiple door bells and key safes to allow renters to access when they book a property that should only have 2 people may be four people in can now hold up to 10.
- There are already 4 cars being used at this property with other vehicles being damaged if they are parked outside and do not have a "reason" to be there.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Conservation Area Advisory Panel comments:

The works, as expressed in the application description, should not adversely impact on the character or appearance of the conservation area.

Environment Agency: No response.

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
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas
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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 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.

The proposal, as described, is for internally configuring a house to replace bedroom 2 from second floor to first floor and creation a kitchen/dining area at the second floor.

"Under section 55 of the Town and Country Planning Act 1990, paragraph 2 states
The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land:

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building,
and are not works for making good war damage or works begun after 5th December 1968 for the alteration of a building by providing additional space in it underground;

Thus this proposal to internally alter the layout of the house does not require planning permission and the applicant has been respectively asked to withdraw this application, however no response has been received.

It was noted that the proposed changes would result in a 3 separate units; one at each floor, however this is not a subject of this application. The alleged use of the property as an airB&B does not normally require planning permission.

SUMMARY

The proposed as mentioned above does not involve a development, however the internal changes would not have an adverse impact on the character of the surrounded area and therefore is deemed to be in a general conformity 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

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 approved shall be carried out in accordance with the following approved plans:

Location and Block Plan, FLOOR PLANS.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1of the Arun Local Plan.

- 2 This permission is solely for an internal changes at the second and first floor and it does not involve any changes in a use of the proposal property as a dwelling house.

Reason: To accord with policies D DM1of 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.

- 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.