

Recommendation Report for Planning Permission

REF NO: LU/98/17/PL

LOCATION: Former Coastguard Tower
The Promenade
Coastguard Road Littlehampton

PROPOSAL: Conversion of former Coastguard Tower to provide new tourist holiday accommodation, addition of solar panels, spiral staircase, bin & bike store. Previously approved under LU/453/07 & LU/247/10. Departure from the Development Plan and affects a Public Right of Way.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The nature of the proposed development is to provide tourist accommodation within the existing structure. The accommodation would comprise a living space, bedroom, kitchenette, and bathroom. The bathroom is positioned on a new mezzanine level above the kitchenette. This is not likely to offer longer term holiday periods due to the compactness of the layout however it represents an interesting series of spaces and is intended to provide enjoyable and affordable accommodation for short breaks. Car parking is not provided for the development.

SITE AREA

17 sq metres

RESIDENTIAL DEVELOPMENT DENSITY (NET) 58 dwellings per hectare

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The site is open to the promenade.

SITE CHARACTERISTICS

3 storey look out tower, currently unused. Red brick elevations with render at 3rd floor level. Hipped red tiled roof. UPVC windows, with roller shutters at ground floor level.

CHARACTER OF LOCALITY

Sited along the promenade, adjoining the H M Coastguard Tower. Beach to south of site. Concessions to east of the site consisting of a fish and chips take away, ice cream vendors and a shop selling various beach goods. Harbour Park amusements complex to the

north of the site.

RELEVANT SITE HISTORY

LU/453/07/	Conversion of former coastguards tower to provide new tourist holiday accommodation	ApproveConditionally 19-03-2008
LU/190/09/	Proposal to convert a redundant coastguard tower to a residential property to include a change of use.	Refused 17-09-2009
LU/247/10/	Addition of solar panels, residential wind turbine, spiral staircase and bin & bike store to existing planning approval LU/453/07/	ApproveConditionally 09-02-2011
LU/57/12/	Conversion of former coastguards tower to provide new tourist holiday accommodation	Withdrawn 24-07-2012

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Environmental Health

01489 444013

Concessions Officer

Estates Manager

Economic Regeneration

Engineers (Coastal Protection)

Engineering Services Manager

Engineers (Drainage)

Environment Agency

Consultations responses received:

Economic & Cultural Development Manager: The external condition of the tower is in poor condition and being in a prime location this needs to be rectified. The concept of the bucket and spade is a good one but both that and the building will need to have a maintenance schedule so as not to detract from the area. On this basis Economic Development would support the application.

Environment Agency : No Objection

According to the Environment Agency flood maps and records the site is shown to be within an indicative tidal flood risk area (Flood Zone 3 - high risk).

However, given the existing ground levels are shown to be slightly above the 1 in 200 year tidal

flood level of 5.1mAOD and there is to be no sleeping accommodation on the ground floor, and an area of safe refuge is available on the upper floors we have no objection to the proposals.

We would recommend that due to close proximity of the site to the foreshore and River Arun the identified flood resilience measures, and the production of a Flood Plan including registration with the EA flood warning service are implemented.

Environmental Health Officer : No comment

Comments on Consultation responses:

- comments noted. It may be desirable to control external decoration of the premises but it would not be reasonable .

POLICY CONTEXT

Designation applicable to site:
Outside the Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN3</u>	Protection of the Countryside
	<u>GEN10</u>	Tidal Flooding and Coastal Defence
	<u>GEN7</u>	The Form of New Development
	<u>GEN9</u>	Foul and Surface Water Drainage
	<u>DEV1</u>	Conversion of Rural Buildings for Industrial or Business Use
	<u>DEV35</u>	Tourism Development Requiring a Coastal Location
Publication Version of the Local Plan (October 2014):		SD SP1 Sustainable Development
		SD SP2 Built-Up Area Boundary
		C SP1 Countryside
		W DM2 Flood Risk
		W DM1 Water Supply and Quality
		D DM1 Aspects of Form and Design Quality
		D DM2 Internal Space Standards
		D DM3 External Space Standards
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		TOU DM1 Tourism Related Development
		TOU SP1 Sustainable tourism and the visitor economy

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

There are no relevant policies in Littlehampton Neighbourhood Plan

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.

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

PRINCIPLE

The proposed application seeks permission for the change of use and conversion of the former coastguard tower to tourist accommodation. Change of use and conversion of the tower for the purpose of tourist accommodation has been previously approved under planning reference LU/453/07. The other items including the bike and bin store and solar panels were approved under planning permission LU/247/10.

LOCATION OUTSIDE THE DEFINED BUILT UP AREA BOUNDARY

The site is outside the built up area boundary so the relevant local plan policy is GEN3. This states that development will not be permitted unless it complies with 5 alternative options. One of these, criteria 5, is that the development is in accordance with a policy in Sections 2 and 3 of the plan referring to a specific use or type of development. For the reasons set out below the proposal is considered to accord with the tourism policies DEV1 and DEV35 in section 3 and the proposal therefore complies with policy GEN3.

TOURISM

Policy DEV35 of Arun District Local Plan states 'Outside of the built-up area, planning permission will not be granted for new tourism development along the coast other than for appropriate changes of use and small-scale extensions to existing facilities, which do not detract from the character of their surroundings.'

The retention of the building would be supported in terms of its contribution to the appearance of the area generally and the provision of holiday accommodation in this location is welcomed. It is ideally located on the promenade.

VISUAL AMENITY

The proposed conversion includes replacement of existing fenestration as well as the inclusion of new windows to serve the new accommodation provided. The proposed changes are considered to enhance the appearance of the structure and therefore would be a positive change to the appearance of the locality. The style of the proposal is in-keeping with that of its surroundings. Its external appearance

remains unaffected other than some well detailed metal and timber balconies (one full and the other a half or Juliet) which are proposed to be affixed to the south or front elevation overlooking the promenade and seafront and some adjustments to the existing windows to add doors and

etched glass units. Also the two existing external doors at ground floor level are to be replaced with an etched glass screen (as an infill material/device) and the other with a finely crafted bespoke timber front door with metal inlay details. These alterations are considered to enhance the appearance of the property and the area generally.

CONVERSION

Policy DEV1 'Conversion of Rural Buildings for Industrial or Business Use' relates to conversion of existing buildings outside the built up area boundary. The building is structurally sound, of permanent construction and capable of conversion without significant rebuilding, alteration or extension, it would not adversely impact on the character of the area or result in uncharacteristic activity levels given its location on the promenade, it is sympathetic to its setting in terms of form, bulk and design and traffic can be safely accommodated on the road network.

INTERNAL AND EXTERNAL SPACE STANDARDS

There is no standard for the proposed unit which covers 4 floors. Itl complies with Nationally prescribed space standards for a single bedroom 2 storey dwelling and on the basis that the proposal is only for holiday accommodation for a limited period of time and utilises and retains an existing building on the seafront which makes a positive contribution to the appearance of the area it is considered to be acceptable. A one bedroom 2 storey dwelling requires 58sqm. The proposal provides 60sqm over 4 storeys.

There is no outside amenity area allocated to the property, but it is located adjacent to the beach and areas of public open space so the lack of space is also considered acceptable.

PARKING

The site is well serviced by the nearby public car park via Windmill Road to the north within 2 minutes walk from the building. The Leaseholders intend to play their part to encourage sustainable travel to and from the building and may be able to offer an incentive for train ticket holders for example; although no details have been confirmed at this stage.

SUMMARY

The approved use has not been implemented to date, although it remains acceptable in this location, making use of a redundant tower which is a prominent feature along the promenade with no detrimental impact upon adjoining uses. With the proposed conversion being an enhancement visually with no detrimental impacts resulting upon the neighbouring uses, it is therefore recommended that the application be approved subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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 :

Drawing No.s Location 0040-PA-103,Bin and Bike Store 0040/PA/101, Proposed Staircase, bin and bike store and solar elements, 0040/PA/102, Proposed staircase and bin/bike store 0040/PA/100 revA, External Materials 0040-PA-020 .

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

- 3 No works shall be carried out on site unless provision is available within the site (or other adjacent land within the applicants control) in accordance with details approved by the Local Planning Authority, for all temporary contractors buildings and stacks of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policies GEN7 of the Arun District Local Plan.

- 4 Notwithstanding the provision of Part C, Class C3 Dwelling House to the Schedule of the Town and Country Planning (Use Classes) Order 1987, (or any order revoking or re-enacting that order), the premises shall be used for the purpose of holiday accomodation only and for no other purpose, including any other purpose within Class C3 of the Order,

without the prior permission of the Local Planning Authority. The property shall not be occupied by any persons for a total period exceeding 28 days. The owner shall maintain a register of occupiers for each calendar year which shall include:

- 1) The full names, occupation, permanent address and contact telephone numbers of all of the person(s) occupying the premises; and
- 2) The start and end date of the stay and the purpose of the stay. It shall be made available for inspection by the Local Planning Authority at any time, and a copy of the register shall be supplied to the Local Planning Authority at the end of each calendar year.

Reason: The site is located outside the settlement boundary where the provision of dwellings is only acceptable if justified on agricultural grounds or are required for a purpose for which a countryside location is necessary.

- 5 **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.