

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

REF NO: LU/9/19/PL

LOCATION: 64 South Terrace  
Littlehampton  
BN17 5LG

PROPOSAL: Access to garden with gate & reinstatement of wall on west elevation.

**SITE AND SURROUNDINGS**

|                            |                                                                                                                                                                                                                    |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | This proposal seeks to infill the current gated access and the creation of a new gated access onto the pathway within the boundary wall serving the existing dwelling, to allow the parking of a mobility scooter. |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council  
Littlehampton Town Council raise No objection  
Neighbouring occupiers raise no comment

**CONSULTATIONS**

Conservation Officer

**CONSULTATION RESPONSES RECEIVED:**

Conservation Area Specialist comment:

Follow-up comment:

Via verbal dialogue (2/07/2019) - the amended plans show that the trellis element has been removed which is considered a betterment to the character of South Terrace.

Initial Comment:

Via a verbal dialogue It was considered that to omit the established trellis running the front boundary wall would be an advantage to the character of south terrace. The insertion of a new gate would not detract from the overall character to its detriment

**POLICY CONTEXT**

Within Built-up Area Boundary  
Area of Special Character  
Locally Listed Building  
2km Buffer - SSSI - Climping Beach.

**DEVELOPMENT PLAN POLICES**Arun Local Plan 2011 - 2031:

|        |                                                             |
|--------|-------------------------------------------------------------|
| SDSP2  | SD SP2 Built-up Area Boundary                               |
| DDM1   | D DM1 Aspects of form and design quality                    |
| HERDM2 | HER DM2 Locally Listed Buildings or Structures of Character |
| HERDM4 | HER DM4 Areas of Special Character                          |

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 |

**CONCLUSIONS****PRINCIPLE:**

The application is located within the built-up area boundary where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case the key policies are considered to be D DM1, HER DM2 and HER DM4 of the Arun Local Plan, the National Planning Policy Framework and the Littlehampton Neighbourhood Development Plan.

**DESIGN & VISUAL AMENITY, IMPACT ON THE AREA OF SPECIAL CHARACTER AND LOCALLY LISTED BUILDING:**

Currently the garden to the front of the property has access from a domestic (side) gate to a shared area serving as access to the properties above. The proposal seeks to infill this gate access and create a new gate onto the pathway to allow for disability buggy access for the occupant. The removal of the existing trellis is also proposed.

South terrace is highlighted as an area of special character - the Arun SPD: Areas of Special Character Review states:

.... 'is a general consistency in height, design, materials and layout, which provide a formal, cohesive and attractive appearance to these groups of buildings'.

and

'South Terrace forms the edge of Littlehampton, the divide between the seaside and the urban area. Balconies, boundary walls, chimney and traditional timber windows, are important contributing features.'

Policy HER DM4 states that Within Areas of Character, as defined on the Proposals Map, planning permission or relevant consent will be granted subject to:

(a) the retention of ...other features.... such as boundary walls, or railings....which make positive

contribution to the special character of the area.

Policy HER DM2 states that:

'Proposals for the alteration or extension of buildings on the Local List will be expected to relate sensitively to the building or structure and its setting and respect its architectural, landscape or historic interest. The Local Planning Authority will seek to preserve features of such buildings which contribute to that interest.'

The proposal seeks to retain the majority of the wall to the front of the property and would only affect it where the gate is to be inserted. By virtue of the scale and design of the proposed development it is considered that the proposal would not have a detrimental impact on the wall itself, established character of the Area of Special Character or 64 South Terrace a Locally Listed Building.

The proposed gate is required to allow the applicant to store their mobility scooter to the front of 64 South Terrace. Officers do not consider that the storage of a mobility scooter to the front of 64 South Terrace would have a detrimental impact on either the Locally Listed Building or the Area of Special Character, such that warrants refusal of this application.

Officers consider on balance that the resultant development would not significantly detract from the established character of the to its detriment and would comply with Policies D DM1, HER DM2 and HER DM4.

#### LITTLEHAMPTON NEIGHBOURHOOD DEVELOPMENT PLAN:

From an assesment of the Littlehampton Neighbourhood Development Plan it is considered that the proposal would comply with Policies 1 and 17

#### OTHER:

The application site falls within the 2km Buffer for SSSI - Climping Beach. Given that the proposal is for a gate it is considered that it would not would not have an impact upon the Climping Beach SSSI.

#### CONCLUSION:

The proposed development is therefore considered to accord with the relevant development plan policies and as such it is recommended that it be approved subject to the following conditions and informatives.

|                         |
|-------------------------|
| <b>HUMAN RIGHTS ACT</b> |
|-------------------------|

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:-

Location plan

Block Plan - Plan 4

Proposed Layout- Plan 3

Existing Layout Plan- Plan 5

Existing elevation (before)- Plan One

Proposed elevation (After) - Plan Two Rev A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with D DM1 of the Arun Local Plan.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.