



Committee Manager : Carrie O'Connor (Ext 37614)

1<sup>st</sup> April 2010

## **DEVELOPMENT CONTROL COMMITTEE**

A meeting of this Committee will be held in the **Council Chamber** at the Arun Civic Centre, Maltravers Road, Littlehampton on **TUESDAY 13<sup>th</sup> April 2010 at 2.30 p.m.** and you are requested to attend.

Members : Councillors Mrs Hall, (Chairman), Mrs Goad (Vice-Chairman), Biss, Bower, Butler, Evans, Gammon, Mrs Harrison, Haymes, Mrs Maconachie, Oliver-Redgate, Mrs Olliver, Mrs Stainton, Steward and Wiltshire.

**PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE**

**PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION AT THE COUNCIL'S PLANNING RECEPTION AT THE CIVIC CENTRE AND/OR ON LINE AT [www.arun.gov.uk/planning](http://www.arun.gov.uk/planning)**

## **A G E N D A**

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of personal and/or prejudicial interests that they may have in relation to items on this agenda.

You should declare your interest by stating :

- a) the application you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial interest
- d) if it is a prejudicial interest, whether you will be exercising your right to speak at the application

You then need to re-declare your interest and the nature of the interest at the commencement of the application or when the interest becomes apparent.

3. VOTING PROCEDURES

Members and Officers are reminded that voting at this Committee will operate in accordance with the Committee Process Procedure as laid down in the Council's adopted Local Code of Conduct for Members/Officers dealing with planning matters. A copy of the Local Code of Conduct can be obtained from Planning Services' Reception and is available for inspection in the Members' Room.

4. MINUTES

To approve as a correct record the Minutes of the meeting held on 31<sup>st</sup> March 2010 (will be circulated prior to the meeting).

5. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES.

6. \*PLANNING APPEALS

To consider the attached report.

7. TREE APPLICATIONS

There are no such applications to consider.

8. \*PLANNING APPLICATIONS

To consider the attached reports.

NB : The applications will be heard in **ALPHABETICAL** order.

9. \*ENFORCEMENT MATTERS

There are no items to consider.

### **Background Papers**

In the case of each report relating to a planning application, or related matter, the background papers are contained in the planning application file. Such files are available for inspection/discussion with officers by arrangement prior to the meeting.

Members and the public are reminded that the plans printed in the Agenda are purely for the purpose of locating the site and do not form part of the application submitted.

Contact Officers :   Nikolas Antoniou   (Ext 37799)  
                          Eve Hearsey       (Ext 37768)  
                          Jonathan Parsons   (Ext 37773)  
                          Daniel Vick         (Ext 37771)  
                          Delwyn Jones       (Ext 37737)

Note: \*Indicates report is attached for Members of the Development Control Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.)

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or the Head of Development Control, in advance of the meeting. This is to ensure that officers can provide the best possible advice to Members during the meeting.)

**AGENDA ITEM 6**

**DEVELOPMENT CONTROL COMMITTEE**

**13 April 2010**

**PLANNING APPEALS**

# APPEALS RECEIVED AGAINST PLANNING DECISIONS & ENFORCEMENTS

## Appeals Awaiting a Decision

**AW/32/08/T**  
Received: 17-07-2008

Falklands Cypress Way Aldwick  
Fell one Macrocarpa tree

**PINS Ref:** APP/TPO/C3810/91

**FP/241/08/A**  
Received: 17-04-2009

97 Felpham Way Bognor Regis  
1 no. internally illuminated pole mounted double sided display unit.

### ***Written Representations***

**PINS Ref:**

**AB/11/09/**  
Received: 18-09-2009

107A Tarrant Street Arundel  
Change of use of existing workshop/storage building to residential with remodelling - re-submission following planning application AB/180/07/

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2112838/WF

**A/72/09/**  
Received: 13-11-2009

23 Garden Close Angmering  
Erecting a fence on property boundary at side of property - to include change of use from amenity land to residential garden area.

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2116198/WF

**FP/55/09/**  
Received: 14-12-2009

6 Davenport Road Felpham  
Internal alterations, minor amendments to fenestration and other architectural detailing to elevations. Extend loft storage enclosure and minor extension to garage. Completion of balcony construction.

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2118506

**BR/237/09/CLP**  
Received: 15-12-2009

4 Glencathara Road Bognor Regis West Sussex  
Application for a certificate of lawfulness for a Proposed Use for a conservatory (re-submission following: BR/140/09/CLP)

### ***Written Representations***

**PINS Ref:** APP/C3810/X/09/2118473

**Y/44/09/**  
Received: 20-01-2010

Little Rookery Hoe Lane Flansham  
The installation consists of a two 11kw Gaia turbines, mounted on free-standing 18m lattice masts on 5m<sup>2</sup> concrete bases. The turbines are of twin-bladed design and are manufactured

as a single composite unit 13m in diameter

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2120494

**BR/149/09/**

*Received:* 27-01-2010

1 Madeira Parade Bognor Regis

To convert 2 No. flats into 1 No. one bedroom flat (ground floor) and erect three one bedroom flats and provide two parking spaces.

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2121245/NWF

**R/100/09/**

*Received:* 01-02-2010

1 Brendon Way Rustington

Erection of new 3 bedroom house on land adjacent to 1 Brendon Way

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2121503/WF

**AW/192/09/**

*Received:* 03-02-2010

To The Rear Of 5 Nyetimber Close Bognor Regis  
New bungalow

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2121628/WF

**AW/160/09/T**

*Received:* 10-02-2010

Sea Crest The Close Aldwick Bay Estate  
Fell 1 Holm Oak

***Written Representations***

**PINS Ref:** APP/TPO/C3810/1051

**LU/197/09/**

*Received:* 11-02-2010

86 South Terrace Littlehampton

To convert flat No.3 into 3 self contained flats. Resubmission following LU/74/09.

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2122096/NWF

**EP/64/09/**

*Received:* 15-02-2010

Seacot South Strand East Preston

Amendment to previously approved planning permission EP/137/03 for extension to existing bungalow

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2122503/WF

**LU/282/09/A**

*Received:* 22-02-2010

East Beach Cafe The Promenade Sea Road Littlehampton

1no. externally illuminated pole mounted sign adjoining restaurant. Re-submission following LU/182/09/A

***Written Representations***

**PINS Ref:** APP/C3810/H/10/2122293

**AL/62/09/**  
Received: 22-02-2010

Land at Northfields Lane Aldingbourne West Sussex  
Sand school, storage building and driveway (sand school for private use only)

***Written Representations***

**PINS Ref:**

**LU/179/09/**  
Received: 23-02-2010

73 Arundel Road Littlehampton  
Outline application for a detached dwelling.

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2123021/WF

**CM/15/09/**  
Received: 25-02-2010

Mistletoe Farm Horsemere Green Lane Climping  
2No. single storey dwellings to the West of Mistletoe Farm

***Written Representations***

**PINS Ref:** APP/C3810/A/10/2123236/NWF

**AL/128/09/**  
Received: 15-03-2010

Aldingbourne Farm Nyton Road Westergate  
Temporary agricultural workers dwelling at Aldingbourne Farm for a temporary period of 3 years to be provided by way of mobile home

***Public Inquiry***

**PINS Ref:** APP/C3810/A/10/2124025/NWF

**BR/280/09/**  
Received: 25-03-2010

2 Southdown Road Bognor Regis  
Vertical extensions to the South and North elevations, loft conversion, replacement of the existing car compound and its timber roof with a garage to accommodate 2 cars in tandem position & raising of the existing fencing to varying heights of 2m to 2.4m with 2 new access gates to Southdown Road.

***Written Representations***

**PINS Ref:** APP/C3810/D/10/2125211

**ENF/122/09/**  
Received: 16-03-2010

rear of FOX HOUSE LIDSEY ROAD WOODGATE  
Alleged unauthorised dwelling

***Written Representations***

**PINS Ref:** APP/C3810/C/10/2124301

**LOCATION:** 40 Flansham Park Felpham

**SUBJECT:** Remove existing wall and fence, replace with featheredge fencing with concrete posts and move gate/pedestrian access alongside garage

**Planning Application Reference:** FP/126/09/

**Appeal Decision:** Dismissed

**Date:** 16 March 2010

**Appeal Procedure:** Written Representations

**Inspector:** Simon Hill RTP1

**PINS Ref:**

**Application Decision:** Refused

**Date:** 06 November 2009

**Decision Process:** Delegated

**Original Officer Recommendation:** Refuse

## SUMMARY OF REASONS FOR REFUSAL

The proposed fence, by reason of its height, size and proximity to the highway, would represent an obtrusive feature in the street scene, causing undue detriment to the visual amenities of the locality.

## ISSUES IDENTIFIED BY THE INSPECTOR

The Inspector considered the main issue to be the effect of the proposed development on the character and appearance of the area.

## INSPECTORS ASSESSMENT

Flansham Park is the spine road on a residential estate with a mixture of house types in a similar style of design. A prevailing feature is the openness of the unenclosed front gardens and communal spaces close to the road, which give a spacious feel to the area. The majority of the open areas are grassed and contain shrubs, small trees and other small scale planting. The lack of substantial vegetation and skyline trees to mitigate the flanks of houses, boundary walls and hard surfaces results in a somewhat stark appearance to the street scene. This makes the contribution of existing vegetation between the highway and buildings and enclosed gardens all the more important in providing softening and variety in the street scene.

The appeal site is on the inside curve of the spine road, with its frontage and the side of its back garden adjacent to the highway. The existing high level boundary treatment gives privacy to the back garden. It is set back from the pavement sufficiently to accommodate a line of mixed shrubs and small trees that effectively screen it from the highway. The vegetation is a landscape feature in itself of substantial benefit to the street scene. Its loss largely or entirely from view from the highway and substitution by sight of 21m of unrelieved 1.9m fence would therefore harm the character and appearance of the area.

The appellant's wish to escape the continuing commitment of trimming and clearing rubbish from vegetation that it benefiting the community is understandable. However, relief of the maintenance burden does not provide justification to outweigh the harm that the appeal proposal would cause.



The appellant refers to the erection of a 1.8m fence near to the pavement, enclosing what the Council described as 'a relatively large area of land', that was permitted in 2006 nearby at 26 Flansham Park. The Inspector did not share the Council's view that the proposal accorded with policy GEN7. If such a departure from the original open plan concept of the estate were to be repeated piecemeal, without a co-ordinated review of the landscaping and maintenance of the estate, the quality and character of the area would become seriously degraded. Thus, rather than supporting the appeal proposal, the development at no.26 serves to emphasise why it should be resisted.

The Inspector therefore concluded that the appeal should be dismissed.

## RELEVANT POLICIES

GEN7

## POLICIES SUPPORTED

As Above

## APPLICATION FOR COSTS MADE/REASON

None

## COSTS AWARDED

N/A

## COMMENT

The Inspector supported the Officer's decision.

**Background Papers:** FP/126/09/

**Contact:** Ms A Paice

**Telephone:** 01903 737500 x 37314

**AGENDA ITEM 8**

**DEVELOPMENT CONTROL COMMITTEE**

**13 April 2010**

**PLANNING APPLICATIONS**

**LIST OF TREE APPLICATIONS AND RECOMMENDATIONS FOR CONSIDERATION  
AT THE DEVELOPMENT CONTROL COMMITTEE**

**NONE FOR THIS COMMITTEE**

**LIST OF APPLICATIONS AND RECOMMENDATIONS FOR CONSIDERATION AT  
THE DEVELOPMENT CONTROL COMMITTEE**

**ALDINGBOURNE**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
AL/32/10/	Amendments to approved application AL/131/09/ with enlarged garage/ utility room extension & projecting first floor extension above porch/ hall	Shangri -La Hook Lane Aldingbourne Chichester
<b>Case Officer :</b>	Ms A Paice	
<b>Recommendation:</b>	Approve Cond	

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**BOGNOR REGIS**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
BR/8/10/	Alteration to create smaller commercial premises and new flat on ground floor. Sub-divide first floor flat to provide 2No. flats.	1 The Steyne Bognor Regis
<b>Case Officer :</b>	Mrs S Leeson	
<b>Recommendation:</b>	Approve Cond	

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**EASTERGATE**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
EG/10/10/	Change of use from dwelling to rest home	104 Barnham Road Barnham
<b>Case Officer :</b>	Mrs S Leeson	
<b>Recommendation:</b>	Approve Cond	

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**KINGSTON**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
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K/4/10/L                      Application for Listed Building                      Sea Barn  
 Consent to construct a new guest                      Brookside Road  
 wing extension, to infill existing garage                      Kingston Gorse  
 space to form new utility room. to take  
 down existing dilapidated garden  
 shed and re-build to include for  
 additional 50% storage area -  
 resubmission following K/24/09/L

**Case Officer :** Mr J Smith

**Recommendation:** Approve Cond

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K/5/10/                      To construct a new guest wing                      Sea Barn  
 extension, to infill existing garage                      Brookside Road  
 space to form new utility room, to take                      Kingston Gorse  
 down existing dilapidated garden  
 shed and re-build to include for  
 additional 50% storage area  
 (Resubmission following K/23/09)

**Case Officer :** Mr J Smith

**Recommendation:** Approve Cond

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**LITTLEHAMPTON**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
LU/50/10/PO	Application for discharge of planning obligation dated 1st August 1986 imposed on planning permission LU/283/85 limiting occupancy to persons of state pensionable age	16 Madehurst Court Gloucester Road Littlehampton

**Case Officer :** Mrs A Gardner

**Recommendation:** Approve

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LU/54/10/                      Change of use of rear section of shop                      9 Arundel Road (Rent a Film)  
 (A1) to 1 no. 1 bed flat (C3) and                      Littlehampton  
 internal alterations

**Case Officer :** Mr P Cleveland

**Recommendation:** Approve Cond

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LU/63/10/                      Outline application for the erection of                      Land to the south of Hearnfield Rd  
 24 dwellinghouses with new access                      Wick  
 off Hearnfield Road                      Littlehampton

**Case Officer :** Mrs A Gardner

**Recommendation:** AppCond SubS106

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LU/364/09/                      Redevelopment of vacant former public house to incorporate the following:1. Retention and conversion of main pub building to provide ground and part first floor serviced office together with conversion of upper parts and eastern wing to form three new residential units as 2 x 2 bed maisonettes and 1 x 3 bed house.2. Extension of northern wing, raising the roof by 900mm to provide additional first floor office space.3. Erection of 3 new 3 bed houses on land to the north of the existing building.

10 East Street  
Littlehampton

**Case Officer :** Mrs A Gardner  
**Recommendation:** Approve Cond

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**LYMINSTER**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
LY/2/10/	Alterations to existing building to provide internal access to existing apartments and to enlarge and resite 2 no. two bed. houses approved under LY/20/09.	Thelton House Apartments Crossbush Lane Lyminster

**Case Officer :** Mrs A Gardner  
**Recommendation:** Approve Cond

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**RUSTINGTON**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
R/36/10/	Outline Application with landscaping reserved for demolition of existing building and replacement with 9 affordable houses and 2 affordable disabled bungalows, with 17 car spaces and associated hardstanding	The Fletchers Arms Station Road East Preston

**Case Officer :** Ms E E Hearsey  
**Recommendation:** Approve Cond

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**PLANNING APPLICATION REPORT**

REF NO: AL/32/10/

LOCATION: Shangri -La  
Hook Lane  
Aldingbourne ChichesterPROPOSAL: Amendments to approved application AL/131/09/ with enlarged garage/  
utility room extension & projecting first floor extension above porch/ hall**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application is a re-submission of application AL/131/09, which granted planning permission for the construction of both single and two storey extensions to 'Shangri-la'. This application seeks to enlarge the proposed garage/utility room, and to increase the projection of a first floor extension.
SITE AREA	Approximately 0.34 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Driveway to front, mature trees and hedging surround the perimeter of the remainder of the site.
SITE CHARACTERISTICS	The site is a single storey detached bungalow dwelling, with brick faced elevations and a pitched rolled concrete tiled roof. The property is situated within a substantial plot.
CHARACTER OF LOCALITY	The site is located on a residential road of predominantly detached two storey dwellings, relatively well set back from the highway. The surrounding area is of rural character.

**RELEVANT SITE HISTORY**

AL/131/09/	Demolish garage, utility room and conservatory. Construct ground floor extension and new first floor extension	Approve Cond 03-03-2010
AL/1/66	Outline application for one bungalow	Refused 10-02-1966
AL/8/65	Bungalow and garage	Approve 08-07-1965

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Awaited

### COMMENTS ON REPRESENTATIONS RECEIVED:

None

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

None

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

## POLICY CONTEXT

Designation applicable to site:

Outside the Built Up Area

### DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

### PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas

## 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.

## 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 conflict with relevant Development Plan policies in that it is not considered to be visually subservient to the existing dwelling. However 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 other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background, in that whilst 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.

## CONCLUSIONS

### Principle

This application is a re-submission following the approval of AL/131/09, which granted planning permission for the construction of various extensions and alterations to 'Shangri-la' Hook Lane. The proposal essentially transforms a single storey bungalow to a large two storey dwelling. This application seeks to make relatively minor alterations to the approved scheme. These alterations would involve an increase (approximately 0.5m) in the width of the garage extension, and an increase (approximately 0.7m) in the projection of the first floor gable extension on the front elevation. Whilst the proposal is considered to conflict with section (ii) of Policy DEV19 of the Arun District Local Plan, in that it would not be visually subservient to the existing building, it is considered acceptable since it would not have an adverse impact on the visual or residential amenities of the locality.

### Visual Amenity and Character

The proposed building would have a half-hipped, 'Sussex' roof, with plain tiles. The elevations would be brick faced to match the existing dwelling. The proposed development would include the addition of several dormer windows with pitched roofs to both front and rear, and an integral double garage. There would be a gable feature to the front of the property and an oak framed balcony to the rear. It is considered that the design and materials of the proposed development are in keeping with the rural character of the locality.

Whilst it is appreciated that the proposed extensions are substantial, the property is set in an extensive plot, which can easily accommodate a building of such a size. Furthermore, the extensions would not project further towards the highway, and as such would not disrupt the predominantly spacious street pattern of Hook Lane.

### Residential Amenity

A distance of approximately 13m would remain between the flank of the extension and that of the property to the north-west, 'Oregon', and a distance of over 40m between the flank of the extension and that of the property to the south, 'Fernlea'. The distance between Shangri-la and the adjacent dwellings, combined with its orientation, is such that it is not considered to have an overbearing impact on neighbouring dwellings. Similarly, it is not considered to give rise to overlooking, for the reasons mentioned previously.

### Conclusions

Whilst it is noted that the proposed extension is extensive, it is considered, by reason of its design and materials, to be in keeping with the rural character of the surrounding area. Furthermore, the size of the plot surrounding the property is such that it can easily accommodate the building proposed, without having a significant impact on the residential amenities of the occupiers of neighbouring dwellings by means of being overbearing, or by giving rise to overlooking. As mentioned previously, permission has already been granted for these extensions, and the proposed alterations to the previously approved scheme are considered to be relatively minor in their nature. It is therefore recommended that the application be approved, subject to the following conditions.



Owing to the statutory period not expiring until 7th February 2008, it is recommended that the decision be delegated to the Head of Planning and Housing Strategy in consultation with the Chairman of the Committee.

## 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 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 3 This permission relates to the following approved plans; drawing numbers 231009/532/01A, 2009/57/01 and 2009/57/02A received 15th March 2010.

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.

- 4 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: GEN3, GEN7, DEV19

NATIONAL POLICIES: PPS1, PPS7

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

**AL/32/10/ Indicative Location Plan**  
**(Do not Scale or Copy)**

*(All plans face north unless otherwise indicated with a north point)*



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**PLANNING APPLICATION REPORT**

REF NO: BR/8/10/

LOCATION: 1 The Steyne  
Bognor Regis

PROPOSAL: Alteration to create smaller commercial premises and new flat on ground floor. Sub-divide first floor flat to provide 2No. flats.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	<p>The application is to create a reduced commercial premises and flat on the ground floor and two flats on the first floor.</p> <p>The commercial premises currently occupy the whole of the ground floor (204 square metres) and will be reduced to 138 square metres with a trading area of 70 square metres and a services and storage area of 68 square metres. The ground floor flat will be 60.5 square metres.</p> <p>The first floor will be sub-divided to provide two flats. The groundfloor flat will be one bedroom whilst the first floor flats will be two bedroom.</p> <p>A balcony on the East Elevation serving one of the flats is to be deleted from the proposal. A groundfloor window on the east elevation will be substituted with a porch entrance matching those existing.</p> <p>The application also indicates that the existing plastic windows will be replaced with timber sash windows.</p>
SITE AREA	0.03 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Building within an Conservation Area. Two storey with single storey additions on the rear. The property has white/cream painted/rendered exterior with parapet mouldings and slate pitched roof behind. There is a first floor balcony with roof over on the south elevation.
CHARACTER OF LOCALITY	Within the Steyne and Waterloo Square Conservation Area. Predominantly residential centred around gardens

comprising two, three and four storey terraced properties and apartments of notable character, some of which are listed.

## RELEVANT SITE HISTORY

BR/140/08/	New entrance to serve first floor to be converted into two flats.	Approve Cond 03-07-2008
BR/401/07/	Erection of additional floor to create 2 additional flats in a three storey building and conversion of 1st floor to 2 self-contained flats	Refused 18-02-2008
BR/272/06/	Outline application to demolish existing two storey building and erect four new town houses. Re-submission of BR/184/06	Refused 25-10-2006
BR/184/06/	Outline application to demolish existing two storey building and erect four new town houses.	Refused 01-08-2006
BR/200/99/CA	Application for Conservation Area Consent to remove existing pitched roof and form new 2nd floor extension to provide two self contained flats	Refused 25-10-1999
BR/201/99/	Proposed 2nd floor extension to provide two self contained flats	Refused 25-10-1999
BR/5/78	Extension & improvement to cellar and toilet facilities	Approve Cond 07-02-1978
BR/43/69	Repairs and improvements to covered yard	Approve 27-02-1969
BR/161/68	Extension of Pink Panther Lounge	Approve Cond 02-05-1968
BR/156/67	Extension	Approve Cond 05-04-1967
BR/229/54	New doorway	Approve 04-12-1954

None

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Regis Town Council : Objection on the grounds that this is out of character with the Conservation Area this site is within. Due to it prominent position on the seafront, the groundfloor should remain as a bar/restaurant. The committee regrets the possible loss of this restaurant/bar as a amenity for tourists. This restaurant/bar is in the heart of the town

and should be retained as a tourism facility to maintain the heritage of the town as a friendly seaside resort.

One letter of objection has been received commenting on the following main issues:

-the applicant has not supplied any information to support the loss of part of the business by way of evidence that either the unit is too large to attract tenants or that he has carried out extensive marketing of the unit.

-loss of business will be to severe detriment of the hoped-for regeneration of the town and seafront

-intentions to restrict opening hours of the residential business space to daytime only will be worthless if the licensed premises to the immediate north reopen and is open until late in the evening, thus to the severe detriment of the amenities

Conservation Area Advisory Committee : Objection - Entire design is detrimental to the character of a simple building.

#### **COMMENTS ON REPRESENTATIONS RECEIVED:**

Bognor Town Council

The application does not result in the loss of commercial floor space. Commercial floor space is to be retained on the groundfloor. There are no policies within the local plan, the statutory planning document, to require the retention of restaurants (A3) uses. The Bognor Regis Masterplan seeks retention of A3 uses around Waterloo Square the station to the east but not this site. The Masterplan is a Council Planning Statement but in this instance lesser weight is attached to it, given its policies do not apply in this location in terms of retention of A3 uses, the absence of any Local Plan policy and the applications proposal to retain A3 use.

#### Other Representations

There are no policies within the local plan to require the retention of A3 Uses and therefore there is no requirement for advertising/marketing the premises.

The Conservation Area Advisory Committee's response is noted. Since the original submission, the first floor balcony with roof over on the east elevation has been deleted from the proposal. The substitution of a porch for a window on the groundfloor remains but it is considered that the design as amended is acceptable in respecting this building in a Conservation Area.

## **CONSULTATIONS**

WSSC Local Development Divis.

Environmental Health

Conservation Area Advisory Com

#### **CONSULTATION RESPONSES RECEIVED:**

County Highways: no objection subject to a condition requiring cycle parking.

Environmental health: No objections. No information is provided on the structure of partitions between residential and commercial use, in particular the floor/ceiling partition, or upon the nature of the proposed commercial usage and there is potential for commercial noise to significantly impact upon the residential use. The use will be mitigated to some extent by a restriction on the hours of operation of the commercial premises.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

There is an existing cafe/restaurant without hours of operation restriction. Environmental Health have indicated that no information on the floor/ceiling partitions and concern about the potential for commercial noise to significantly impact upon residential use. Noise insulation would be a requirement of Building Regulation Approval.

## **POLICY CONTEXT**

Designation applicable to site:

Conservation Area

### **DEVELOPMENT PLAN POLICIES**

South East Plan:	SEPH5 SEPH6	Housing Design and Density Making Better Use of the Existing Stock
Arun District Local Plan:	GEN2 GEN3 GEN12 AREA2	Built-up Area Boundary Protection of the Countryside Parking in New Development Conservation Areas

### **PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historic Environment
PPG13	Transport

## **POLICY COMMENTARY**

### **CONSERVATION AREA**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

## **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

### **PLANNING**

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.

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."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation 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

This application seeks alterations to the groundfloor to create an additional flat and to sub-divide the first floor into two flats under BR/140/08/.

The proposed change of use of the groundfloor is in line with PPS3 which promotes the most efficient use of previously developed land by re-use of existing buildings by forming additional units of accommodation. South East Plan further emphasises the need to make better use of sites for housing. There are no policies within the Local Plan to retain cafe/restaurant (A3) use.

### Visual Amenity

The application site lies within a Conservation Area where policies and legislative requirements require developments to preserve or enhance the character or appearance of Conservation areas

It is considered that the application complies with this requirement to preserve or enhance the character and appearance of the Conservation Area. The original submission showed a first floor balcony with roof over which was considered to be poorly designed. However this is to be deleted from the application and satisfactory amended plans are awaited to show this. The only other significant change is a entrance porch in place of an existing window. The porch is to match the other existing porches on the building in design and materials. The loss of part of a cafe/restaurant (A3) is not felt to harm the character and appearance of the Conservation Area.

### Residential Amenity

There is cafe/restaurant on the groundfloor but given that residential already exists it is not considered that this relationship is unacceptable. No planning condition is recommended restricting hours of operation as a cafe/restaurant exists with planning conditions restricting hours with residential above. An informative is recommended that any changes to the existing ventilation/fume extraction system may need planning permission if it is to be extended/altered significantly.

### Summary

It is not considered that the proposal would detrimentally harm the character or appearance of the Conservation Area, nor would it harm the character or appearance of the surrounding residential area. No loss of Cafe/restaurant (A3) is proposed. It is also considered to comply with policies on

re-use of buildings for residential use.

It is therefore recommended that the application be approved subject to the receipt of satisfactory amended plans showing the removal of the first floor balcony on the east elevation, and the following planning conditions. condition.

## 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 designated bin storage areas and cycle stores areas allocated to each residential unit shall be put in place fully in accordance with the approved plans and details upon occupation of each individual unit.  
  
Reason: To ensure satisfactory development of site by requiring binstorage and cycle storage areas in compliance with policy GEN7 of the Arun District Local Plan.
- 3 All windows and doors shall be of painted timber.  
  
Reason: To preserve the character and appearance of the Conservation Area in accordance with policy AREA2 of the Arun District Local Plan.
- 4 Before development commences, details of the replacement porch in the form of plans and details at a scale 1:20 shall be submitted and approved in writing with the local planning authority. The details shall include the materials and finishes of the additional entrance porch. The development shall be carried out in accordance with the approved details.  
  
Reason: To preserve the character and appearance of the Conservation Area in accordance with policy AREA2 of the Arun District Local Plan.
- 5 This permission relates to the following approved plans.  
  
Site Plans Received 16th February 2010 Drawing Number 1925.02  
Elevation and Floor Plans Received 16 February 2010 drawing Number 1925.01  
  
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.
- 6 **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 GEN3 GEN7 AREA2

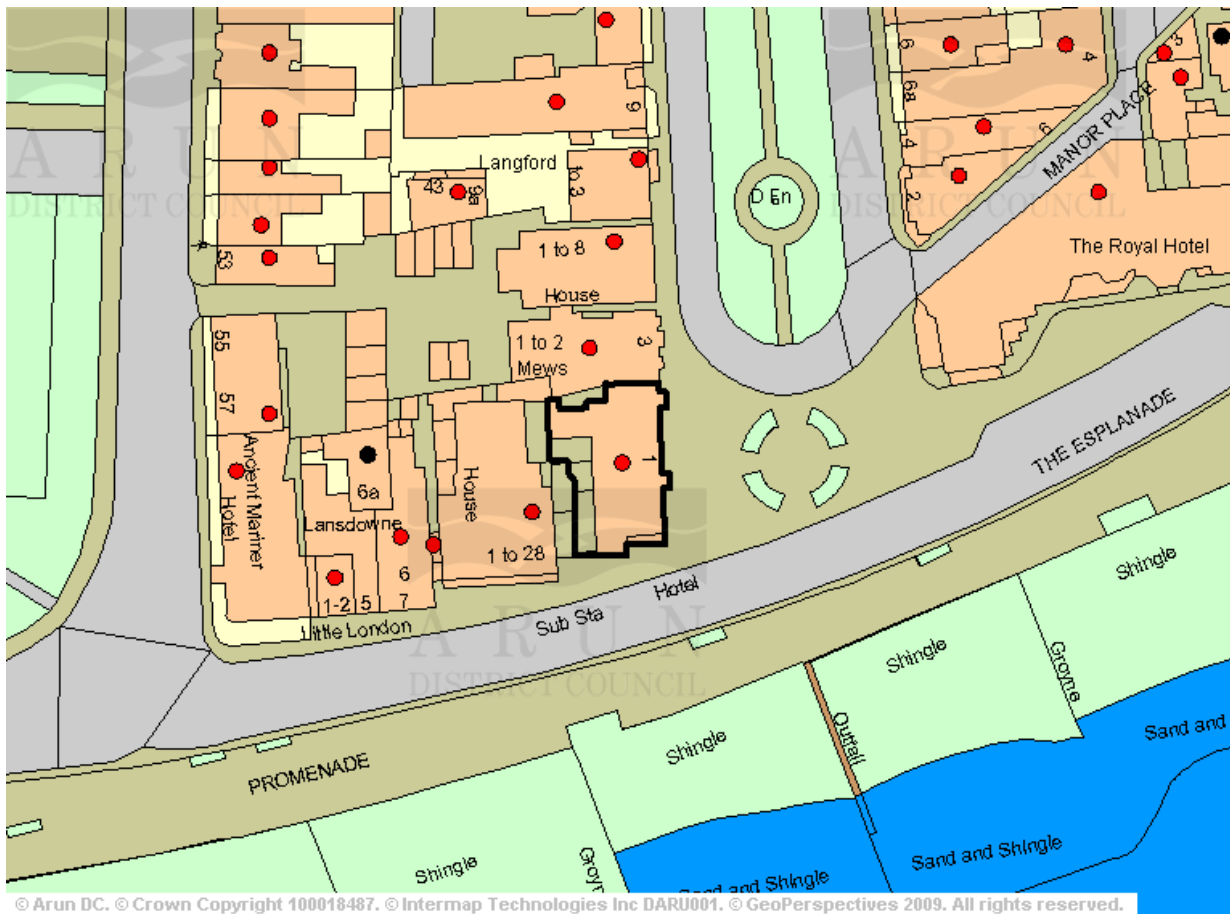
SOUTH EAST PIAN: H5 H6

NATIONAL POLICIES: PPS1 PPS3 PPG13 PPG15

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

**BR/8/10/ Indicative Location Plan**  
**(Do not Scale or Copy)**

*(All plans face north unless otherwise indicated with a north point)*



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**PLANNING APPLICATION REPORT**

REF NO: EG/10/10/

LOCATION: 104 Barnham Road  
Barnham

PROPOSAL: Change of use from dwelling to rest home

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	<p>The adjoining property, No. 102 Barnham Road is currently in use as a Rest Home. The proposal seeks to incorporate the adjoining property (which is the subject of this application) into the existing Rest Home to provide increase accommodation. It should be noted that these properties were originally a pair of semi-detached houses.</p> <p>It is proposed to create two new bedrooms on the ground floor, together with a residents lounge and entrance hall. There would be three bedrooms and a communal bathroom to the first floor. Each of the bedrooms would benefit from an en suite bathroom. There would be a connection at ground floor and first floor level between the existing and proposed use.</p> <p>The level of parking would be increase from five spaces to ten spaces.</p>
SITE AREA	0.13 hectares.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	Some existing shrubs and trees to site frontage may be impacted upon by the new single access position and visibility splays; however none of these trees are considered worthy of a tree preservation order.
BOUNDARY TREATMENT	Tree and shrub coverage to the site frontage. Dense tree coverage to north west side boundary.
SITE CHARACTERISTICS	<p>Two storey building, which currently adjoins a residential rest home. The building consists of brick walls, with contrasting red brick quoins. Red tiled, gable roof. Two no. protruding pitched roof extensions to the front of the property.</p> <p>Existing access to front right side of the site. Parking area to site frontage.</p>

Works have begun on site. The property, that is the subject of this application has been gutted and the site is currently being developed to the frontage.

#### CHARACTER OF LOCALITY

Predominately residential area. The surrounding properties are a mixture of one, one-and-a-half and two storey dwellings. Predominately detached dwellings; although some semi-detached.

### RELEVANT SITE HISTORY

EG/32/73	Installation of kitchen upstairs sink unit ground floor washroom & bedroom hand basins concrete floor coalroom	Approve 04-07-1973
EG/11/55	Conversion 1 dwelling to 2	Approve Cond 20-07-1955

### REPRESENTATIONS

#### REPRESENTATIONS RECEIVED:

Eastergate Parish Council

Objection:

The loss of residential family accommodation would be inconsistent with the needs of the area;

There is a danger of the Barnham Road, which is an area of recognised importance, becoming a string of Care and Nursing homes to its detriment;

An unhelpful precedent may be set by approval of this application;

The proposal is unneighbourly due to the increased traffic/ use of the building with traffic noise and fumes;

The number of parking spaces appears to be small compared to the likely number of residents and staff required for such a facility;

No off site parking is available;

Access onto and off of Barnham Road for visitors to the site would be hazardous and will add to congestion on this busy roadway;

The increased pressure on the infrastructure, particularly the sewerage system and health service providers would be undesirable.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

Each application must be considered in the form submitted and on its own individual merits.

The proposal would result in an increase in parking provision. County Highways have raised no objection on the ground of highway safety issues, parking provision or access arrangements.

The adjoining building is currently a Rest Home and therefore it is considered that the principal of a Rest Home in this location is established. Further, it is not considered that the proposal would cause demonstrable harm to the residential amenities of any neighbouring property by way of increased noise and disturbance.

### CONSULTATIONS

WSCC Local Development Divis.  
 Environmental Health  
 Southern Water Planning

**CONSULTATION RESPONSES RECEIVED:**

County Highways  
 No objection, subject to suggested conditions.

The proposal is for the change of use of a dwelling to a rest home with access onto Barnham Road via an altered access point. From an inspection of the plans alone, there is no apparent visibility issue at the point of access onto Barnham Road. The most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access, indicating a low risk of highway safety issues with this proposal.

The proposal would add 5 bedrooms to the 12 existing within the adjacent nursing home. Given that this proposal would result in the loss of a residential dwelling, the proposal is acceptable in principle as it would not be expected to generate a significant increase in vehicular traffic.

The existing access would be relocated to merge with the existing access for no. 102 and would be 4.5m in width, which would allow two cars to pass each other. This should be constructed under a licence that can be obtained from the Area Engineer at Western Area office. Visibility splays of 2.4m x 45m have been shown on the plan and these distances comply with guidance from Manual for Streets for an access onto a 30mph road. Pedestrian visibility splays of 2m x 2m have also been shown to comply with Manual for Streets guidance.

The number of parking spaces exceeds the WSCC maximum standard, which would be approximately 7 car parking spaces. However, given the lack of on-street parking availability in the vicinity of the property, no highway objections are raised. The car parking spaces should be 2.4m x 4.8m in accordance with guidance from Manual for Streets. Turning spaces of 6m should be available to enable vehicles to enter and exit the site in a forward gear. This should be secured via a condition.

No cycle parking have been proposed. Although WSCC does not have a minimum cycle parking standard for nursing homes, the scheme should include an adequate level of secure and covered cycle parking for staff and visitors. The actual details of the cycle parking facilities should be submitted to an approved by the Local Planning Authority (LPA).

If the LPA are minded to approve this application, a condition securing turning space and cycle parking should be included.

Environmental Health  
 No Comments.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted. The conditions suggested by County Highways will be added to any approval on this site.

## **POLICY CONTEXT**

Designation applicable to site:

Within Built-up-Area Boundary  
 Area of Special Character

**DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	AREA1	Areas of Special Character

**PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPG13	Transport

**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.

**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 application site is located within the defined Built-up-Area Boundary, where in accordance with saved policy GEN2 of the Arun District Local Plan the principle of development is accepted, subject to satisfying planning considerations such as visual and residential amenity.

The adjoining property, No. 102 Barnham Road is currently in use as a Rest Home. The proposal seeks to incorporate the adjoining property (which is the subject of this application) into the existing Rest Home to provide increased accommodation. It should be noted that these properties were originally a pair of semi-detached houses. The proposed use is considered to be consistent with surrounding residential properties and there are no objections in principle. Further, it is considered that the proposal would assist in meeting the needs of the local community, by reflecting an ageing population.

**VISUAL AMENITY**

The surrounding area is mixed in character, comprising one, one-and-a-half and two storey

detached and semi-detached properties. There are blocks of flats within the vicinity, as well as other Rest Homes. Further, the building that is the subject of this application adjoins an established rest home and this use has therefore already been established in this location.

No external works to the building are proposed as part of this application. The internal works that would facilitate the proposed change of use from a residential home to a Rest Home had commenced at the time of a site visit. As the building would remain as existing, when viewed externally, it is considered that the proposals would not detract from the style and appearance of the existing building, nor the character of the surrounding Area of Special Character.

#### RESIDENTIAL AMENITY

It is considered that the proposal would not cause demonstrable harm to the residential amenities of any neighbouring property by way of noise or disturbance.

#### SUMMARY

It is concluded that the proposed change of use 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. Furthermore, it is considered that the proposal would assist in meeting the needs of the local community, reflecting an ageing population.

It is therefore recommended that the application is approved, subject to the conditions detailed below.

### **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 Notwithstanding the provisions of any Town & Country Planning General Development Order or Use Classes Order, the use hereby permitted shall be restricted to a Rest Home.

Reason: To enable the Local Planning Authority to control the development, in accordance with Arun District Local Plan policy GEN7.

- 3 The use hereby permitted shall not be carried on until space has been laid out within the site in accordance with details approved by the Local Planning Authority for the turning of vehicles clear of the public highway and such space shall not thereafter be used other than as a turning area.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The use hereby permitted shall not be carried on until cycle storage has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the storage of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with policy GEN7 of the Arun District Local Plan.

- 5 This permission relates to the following approved plans:-

Design Proposals. Drg no. 0959/10  
Survey as Existing. Drg no. 0959/01  
Survey as Existing. Drg no. 0959/02.

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.

- 6 **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 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 and there are no material considerations to indicate otherwise.

**RELEVANT POLICIES**

**LOCAL PLAN:** GEN2, GEN7, GEN12, AREA1.

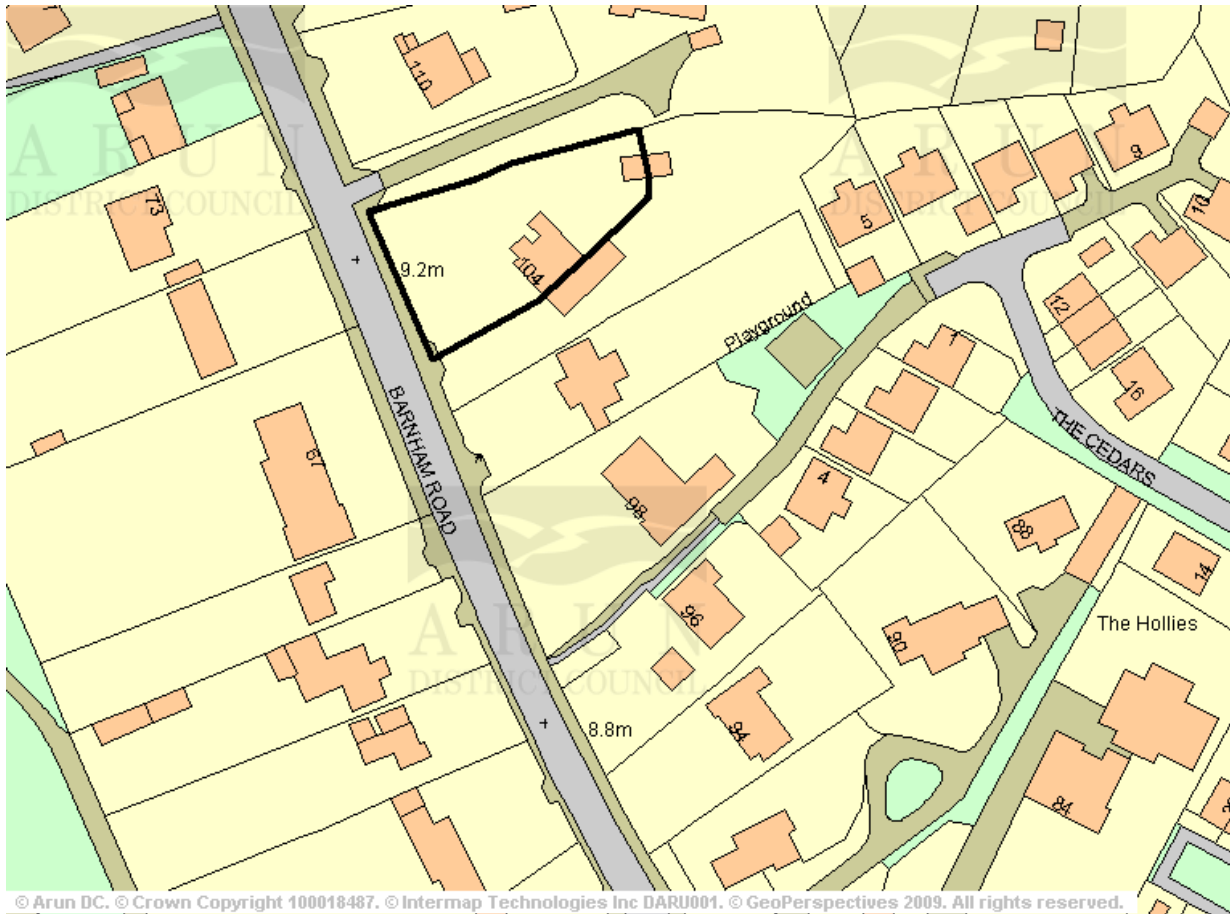
**NATIONAL POLICIES:** PPS1, PPG13.

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



**EG/10/10/ Indicative Location Plan****(Do not Scale or Copy)**

*(All plans face north unless otherwise indicated with a north point)*



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**LISTED BUILDING CONSENT REPORT**

REF NO: K/4/10/L

LOCATION: Sea Barn  
Brookside Road  
Kingston Gorse

PROPOSAL: Application for Listed Building Consent to construct a new guest wing extension, to infill existing garage space to form new utility room. to take down existing dilapidated garden shed and re-build to include for additional 50% storage area - resubmission following K/24/09/L

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal involves a two storey extension to east elevation that would measure approximately 6.5 metres in width by 5.5 metres in depth and 6 metres in height and provision of a timber shed measuring 6 metres in length by 3 metres in width and 4.1 metres in height to replace a similar existing structure.
SITE AREA	Approximately 0.44 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are a number of mature ornamental trees within the site, the majority are to the rear of the existing building, particularly towards the northern boundary, there are also a few trees to the front.
BOUNDARY TREATMENT	There is an approximately 1.5 metre high flint wall along the front boundary which extends part way to the rear of the site before joining with the existing building and then extending out to form a walled section of garden to the rear. An approximately 1.8 metre high timber fence continues on from where the flint wall leaves the northern boundary. There is additional hedging reaching up to approximately 3.5 metres in height in some places, particularly on the northern site boundary.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed converted barn building which is linked to a smaller two storey building to the rear. The converted barn has flint walls with red/brown brick quoins on the corners and also to the sides and below window openings which have arched brickwork above. There are a number of slit openings within the wall that are surrounded by brickwork. There is centrally positioned full height glazing on the front and rear elevations. The roof is gabled and slated. The converted barn is linked to a smaller building by way of a flat roof single storey, glazed section. The adjoining building is two

storeys in height with a slated gable roof and has flint walls which are set on a red/brown brick plinth. This building also features brick quoins and window surrounds. Above the tops of the ground floor windows there is timber weatherboarding which has been painted a grey/blue colour.

#### CHARACTER OF LOCALITY

The site is located towards the end of a road which is lined by large, well spaced residential dwellings that are set back from the road. The road is lined in most places by mature landscaping which helps to screen the buildings from immediate view and create a rural appearance. There are open fields to the north, behind a neighbouring property. On the other side of the eastern boundary the ground drops down towards Ferring rife and its flood plain.

### RELEVANT SITE HISTORY

K/24/09/L	Application for Listed Building Consent to construct new guest extension, infill existing garage space to form utility room, erect new garage & log store and replace existing garden shed	Refused 10-02-2010
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### REPRESENTATIONS

#### REPRESENTATIONS RECEIVED:

Kingston Parish Council: Objection. The proposed works are out of scale to the existing converted barn and will significantly and adversely change the character and surround of this Listed Building.

3 letters of objection. Be detrimental to the character and history of the site. There is a restrictive covenant on the site. Arun District Council assured that the 1999 development was the maximum that could be undertaken on this property. The extensions are not subservient and would be contrary to policies DEV10 and DEV19.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The proportions of the secondary building, if building work goes ahead, would remain smaller than those of the original building and it is considered that visual subservience would be retained. Permitted Development rights for buildings, enclosures and structures were removed by condition following application K/20/99. This does not preclude further development at the site its purpose is to ensure that any future development can be more strictly controlled. Policy DEV10 has been removed from the Arun District Local Plan and, therefore, has not been employed in the assessment of the proposal.

### CONSULTATIONS

West Sussex - Listed Building

#### CONSULTATION RESPONSES RECEIVED:

No objection.

#### COMMENTS ON CONSULTATION RESPONSES:

Comments noted

## **POLICY CONTEXT**

Designation applicable to site:  
Within Built-Up Area  
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
	DEV19	Extensions to existing residential buildings

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

## **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

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."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation 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:

This application seeks Listed Building Consent for the proposed works, therefore, the recommendation is based purely on matters relating to potential impacts on the Grade II Listed Building that occupies the site. A separate application for planning permission (K/5/10) and this will take issues such as impact on amenities of neighbouring residents into account.

**HISTORY:**

This application follows an application for identical works, but with the inclusion of a detached garage to the front of the dwelling, which was refused as K/24/09/L. The current application has omitted the detached garage and, as the previous application was refused due to the adverse impact the proposed garage was considered to have on the setting and character of the Grade II Listed Building, it is considered that the reasons for refusal have been suitably addressed.

**SETTING:**

The proposed extension is to the rear of an existing side extension and would be of a modest scale that will ensure a visually subservient relationship with the original converted barn is retained. The extension is also not attached directly to the original building and it is considered that its setting and historical context would be preserved.

**DESIGN:**

The design of the proposed extension mimics that of the existing side extension and it is considered that this would produce an integrated appearance to the extensions and prevent a cluttered arrangement. The use of flint on the external walls with brick quoins would compliment the materials used on the existing building and be complimentary to the historical context of the site. No parts of the original fabric of the Grade II Listed Building would be removed as a result of the proposal.

It is therefore recommended that Listed Building Consent is granted, 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 This permission relates to the following approved plans:-

No. 1 rev. B; No. 2 Rev. B; No. 3; No. 4; No. 5; No. 6; No. 8 rev. A; No. 10; No. 11 rev. A; No. 12 rev. A; No. 13 rev. A; No. 15 rev. A and No. 16

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 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be 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 PPG15 - Planning and the Historic Environment.

- 4 Any walling shall conform with a sample panel of/brickwork/stonework/flintwork/which shall

be erected on site and approved in writing by the Local Planning Authority before work to walling is commenced.

Reason: To preserve the appearance and special character of the building for the future in accordance with PPG15 - Planning and the Historic Environment.

- 5 No development shall take place unless and until details of the construction/operation mechanism and materials of all new joinery have been submitted to and approved by the Local Planning Authority and the new joinery shall be constructed in accordance with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with PPG15 - Planning and the Historic Environment.

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

SUMMARY

This Listed Building Consent is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on the character or setting of the Grade II Listed Building.

RELEVANT POLICIES

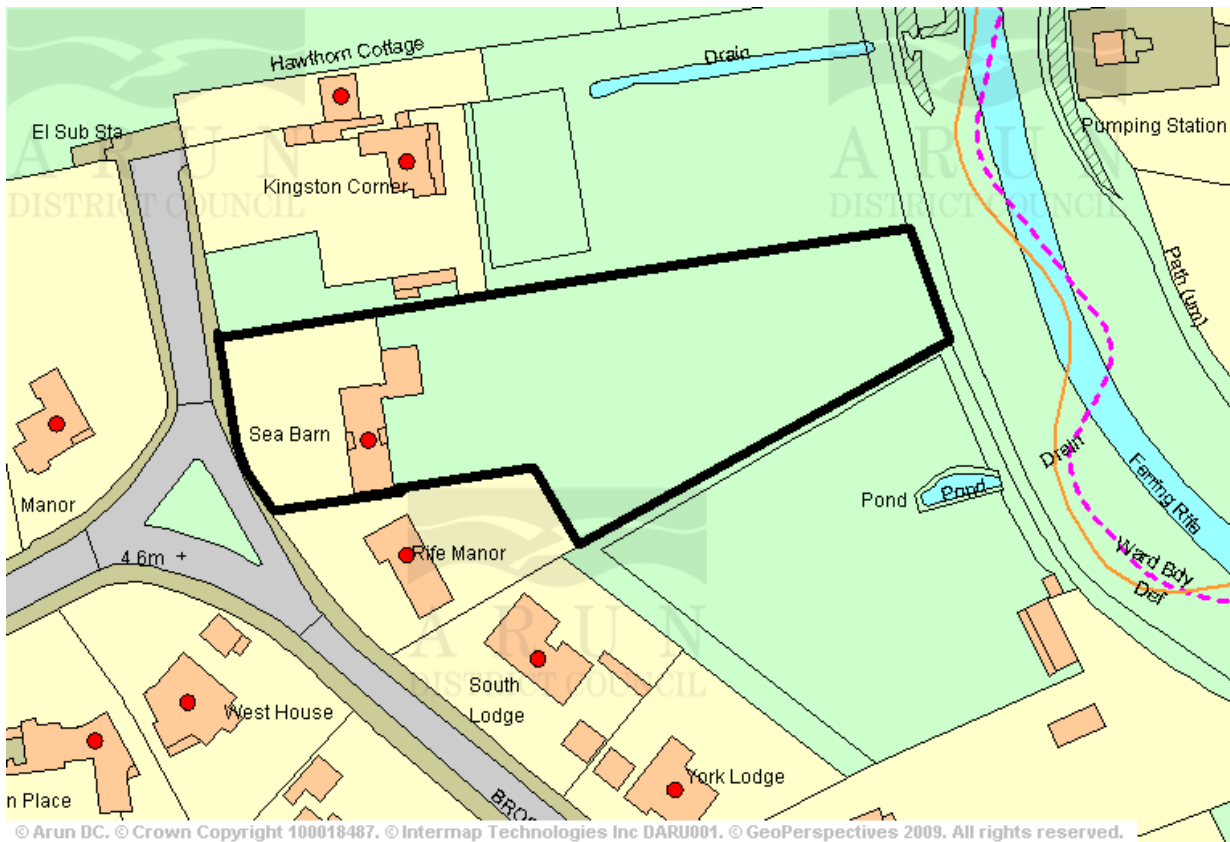
LOCAL PLAN: GEN2, GEN7, DEV19

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.

**K/4/10/L Indicative Location Plan**  
**(Do not Scale or Copy)**

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**PLANNING APPLICATION REPORT****REF NO:** K/5/10/**LOCATION:** Sea Barn  
Brookside Road  
Kingston Gorse**PROPOSAL:** To construct a new guest wing extension, to infill existing garage space to form new utility room, to take down existing dilapidated garden shed and re-build to include for additional 50% storage area (Resubmission following K/23/09)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal involves a two storey extension to east elevation that would measure approximately 6.5 metres in width by 5.5 metres in depth and 6 metres in height and provision of a timber shed measuring 6 metres in length by 3 metres in width and 4.1 metres in height to replace a similar existing structure.
SITE AREA	Approximately 0.44 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are a number of mature ornamental trees within the site, the majority are to the rear of the existing building, particularly towards the northern boundary, there are also a few trees to the front.
BOUNDARY TREATMENT	There is an approximately 1.5 metre high flint wall along the front boundary which extends part way to the rear of the site before joining with the existing building and then extending out to form a walled section of garden to the rear. An approximately 1.8 metre high timber fence continues on from where the flint wall leaves the northern boundary. There is additional hedging reaching up to approximately 3.5 metres in height in some places, particularly on the northern site boundary.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed converted barn building which is linked to a smaller two storey building to the rear. The converted barn has flint walls with red/brown brick quoins on the corners and also to the sides and below window openings which have arched brickwork above. There are a number of slit openings within the wall that are surrounded by brickwork. There is centrally positioned full height glazing on the front and rear elevations. The roof is gabled and slated. The converted barn is linked to a smaller building by way of a flat roof single storey, glazed section. The adjoining building is two



storeys in height with a slated gable roof and has flint walls which are set on a red/brown brick plinth. This building also features brick quoins and window surrounds. Above the tops of the ground floor windows there is timber weatherboarding which has been painted a grey/blue colour.

#### CHARACTER OF LOCALITY

The site is located towards the end of a road which is lined by large, well spaced residential dwellings that are set back from the road. The road is lined in most places by mature landscaping which helps to screen the buildings from immediate view and create a rural appearance. There are open fields to the north, behind a neighbouring property. On the other side of the eastern boundary the ground drops down towards Ferring rife and its flood plain.

### RELEVANT SITE HISTORY

K/24/09/L	Application for Listed Building Consent to construct new guest extension, infill existing garage space to form utility room, erect new garage & log store and replace existing garden shed	Refused 10-02-2010
K/23/09/	Construct a new guest extension, infill existing garage space to form utility room, erect new garage & log store and replace existing garden shed	Refused 01-02-2010

### REPRESENTATIONS

#### REPRESENTATIONS RECEIVED:

Kingston Parish Council: It is out of scale to the existing property with the converted barn being changed to a significantly larger complex. It is overbearing on the neighbouring property and will result in a loss of amenity and privacy. The Council is concerned about recent flooding in the area and asks that an impact assessment on surface water and sewage drainage be carried out.

4 letters of objection. The proposed extensions are excessively large and would dominate the appearance of the building from the south, east and north and significantly alter the appearance of the building from the west. The effect of the appearance on the rear of the building is more important than the effect on the front as many people use the public footpath along Ferring Rife. It would create virtually a second house and would overlook neighbouring gardens and detract from amenities of neighbours. It would draw attention away from the original building. Rooflights are not appropriate for a Listed Building. The extensions would not be subservient to the existing building and are contrary to Policy DEV19. Would be in contravention of covenants signed and agreed with Kingston Gorse Estate. Windows in the north elevation will overlook neighbours. The proposed extension is on the very edge of the Strategic Gap. Further building works and drainage could cause flooding on the site, a lake has been filled in and used as a playground and this has flooded recently.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

Although the footprint of the existing secondary building will increase its proportions will

remain smaller than that of the original building and it is considered that visual subservience would be retained. The built area of the site would not reach any closer to the immediate neighbouring properties and, therefore, it is considered that there would be no adverse impact on amenities. The appearance of the proposal is considered to be sympathetic towards the Grade II Listed Building when seen from all aspects. The proposed rooflights would not be on the original building, would be small scale and sympathetically designed. Issues regarding character, appearance and impact on neighbours will be discussed further in the conclusions of this report. The proposed extension is close to a flood zone but not within it, matters pertaining to drainage and sewage would be a consideration for Building Regulations. Any contravention of covenants placed on the property are a legal rather than planning issue.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

None

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted

## POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Grade II Listed Building

Permitted Development Restriction: The window at first floor level on the south elevation shall be obscure glazed (condition 6). No buildings or structure to be placed on the land without planning permission (Condition 7). Both relate to K/8/99.

### DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

### 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.

## 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 location of the proposal is an extension to an existing residential building. Policy DEV19 of The Arun District Local Plan informs that this form of development in principle subject to its impact on the existing building, the character of the surrounding area and the amenities of neighbouring residents being acceptable. An assessment of the proposal will therefore be made against these criteria.

### **HISTORY:**

The application follows the refusal of a planning application K/23/09 for works identical to the proposal but with additional provision for a garage to the front of the dwelling. This application was refused as it was considered that the proposed garage would have a harmful impact on the setting of the Grade II Listed Building and on the character and appearance of the surrounding area. Other elements of the proposal were considered to be acceptable. A garage has not been included in the current application and, therefore, it is considered that the reasons for refusal given in the previous application have been addressed.

### **CHARACTER:**

It is considered that the proposed garden shed would not have a significant impact on the street scene or the setting of the Grade II Listed Building as it would be set back from the front of the dwelling, in an area partially screened by existing site landscaping and would be of a modest size. It is noted that a footpath runs behind the site, on the banks of Ferring Rife, however, this is some 130 metres from the proposed extension and, given its scale, it is not considered that the overall appearance of the building will be adversely affected when seen from this footpath. The proposed shed would replace an existing building and would not be of a size, or in a position, that would lead to a material change in the character of the surrounding area.

### **DESIGN:**

The proposed extension to the secondary building would not increase its width or its height, it is therefore considered that it would not have an adverse impact on the setting of the Grade II Listed Building, nor would be detrimental to the character and appearance of the street scene.

Although the footprint of the secondary building would increase, it is considered that it would still maintain its subservience to the main building. It is also considered that its design and use of material compliments the existing building.

### **AMENITY:**

It is considered that the proposed extension would not be harmful to the amenities of neighbouring residents. It is noted that there would be north and south facing first floor windows

that would look towards neighbouring properties, however, it is considered that views from these windows into those properties would be restricted by existing boundary hedging. It is also noted that the windows would face in the direction of flank walls of neighbouring buildings. The would also be east facing first floor windows, these would not directly face neighbouring properties and would look towards Ferring Rife. It is considered that the proposed extension would be positioned a sufficient distance from neighbouring properties to prevent any unacceptable overbearing or overshadowing impact.

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

## 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 This permission relates to the following approved plans:-  
  
No. 1 rev. B; No. 2 Rev. B; No. 3; No. 4; No. 5; No. 6; No. 8 rev. A; No. 10; No. 11 rev. A; No. 12 rev. A; No. 13 rev. A; No. 15 rev. A; No. 16  
  
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 development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, roof and joinery of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.  
  
Reason: To enable the Local Planning Authority to control the development in detail in the interests of the setting of the the Listed Building in accordance with policy GEN7 of the Arun District Local Plan.
- 4 The window of the en-suite on the north elevation of the proposed extension shall at all times be glazed with obscured glass.  
  
Reason: To protect the amenities of the adjoining property in accordance with policies GEN7, DEV19 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 the setting of the Grade II Listed Building and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

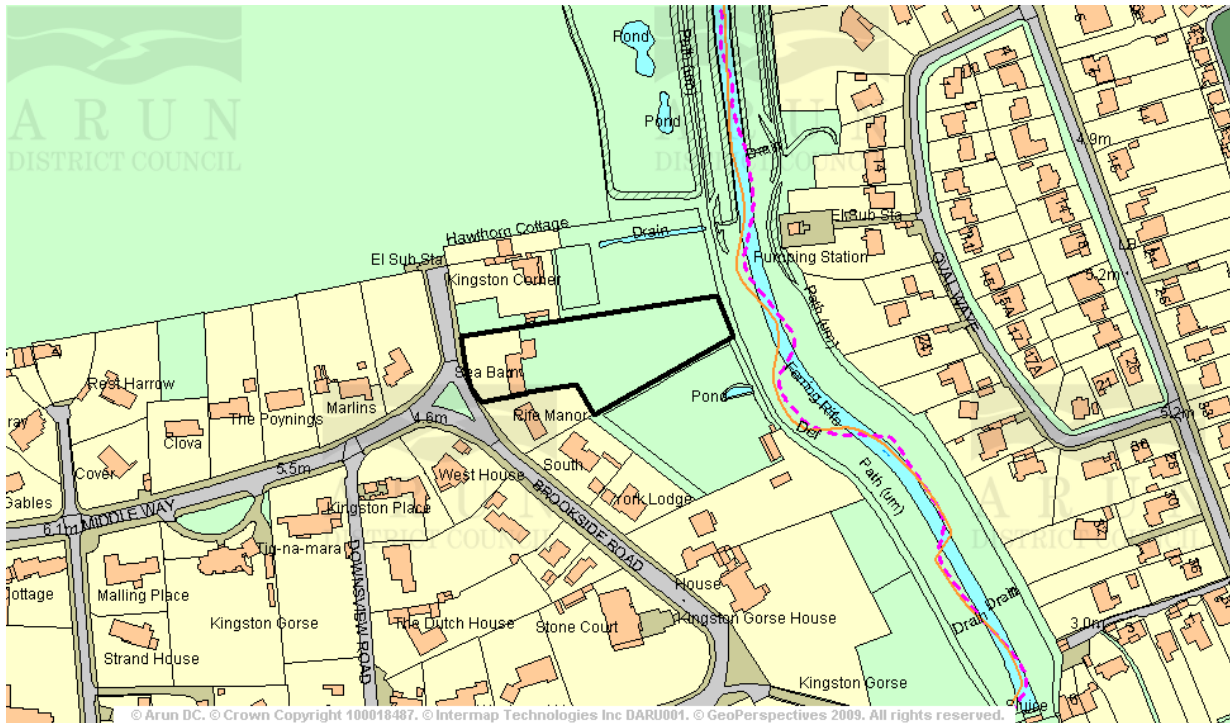
LOCAL PLAN: GEN2, GEN7, DEV19

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.

## K/5/10/ Indicative Location Plan (Do not Scale or Copy)

*(All plans face north unless otherwise indicated with a north point)*



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**ADVERTISEMENT CONSENT REPORT**

**REF NO:** LU/50/10/PO

**LOCATION:** 16 Madehurst Court  
Gloucester Road  
Littlehampton

**PROPOSAL:** Application for discharge of planning obligation dated 1st August 1986 imposed on planning permission LU/283/85 limiting occupancy to persons of state pensionable age

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application requests the discharge of a Planning Obligation made under S52 of the Town and Country Planning Act 1971, originally relating to the entirety of Madehurst Court, to enable the property at No. 16 Madehurst Court to be occupied by a person, or persons, younger than State pensionable age.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None
BOUNDARY TREATMENT	The building faces directly onto the pavement.
SITE CHARACTERISTICS	The site is occupied by an L-shaped block of two storey flats that have painted render exterior walls and a tiled, Sussex hipped roof with dormers. There is associated car parking provided to the rear. (12 number)
CHARACTER OF LOCALITY	The site is located on a residential road that is characterised by high density residential use with nearby buildings generally being a mixture of two storey terraced dwellings and blocks of two and three storey flats, a number of which are used for sheltered accommodation. Littlehampton Railway Station is directly to the south and the road runs parallel to the railway line.

**RELEVANT SITE HISTORY**

LU/5/09/PO	Application for the Modification or Discharge of a Planning Obligation dated 1/8/1986 under planning application LU/283/85 relating to restriction of occupation to persons of state pensionable age	Approve 02-07-2009
LU/283/85	Demolition of existing police station and erection of 6 No 2 bed flats and 12 No 1 bed flat with ancillary parking	Approve Cond 01-08-1986

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

No objection

5 letters of objection (including a petition with 8 signatures)

Age restriction should be reduced to 50 as per flats 11 and 14. There are many elderly tenants in the block. A noisy tenant would not bode well. 9 flats in the 3 blocks are not age restricted. The age restricted are for more infirm people. Age restricted are cheaper. Other occupiers bought their flats knowing others were restricted giving them a sense of security.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Each application is considered on its own merits, the removal of one additional flat from the restriction would not significantly alter the occupancy make up. The condition was imposed on planning grounds only because of the restricted parking not for any other purpose. The flats currently have a mix of occupancy age some 65+, some 50+ and other unrestricted.

**CONSULTATIONS**

Planning Solicitor

WSCC Local Development Divis.

**CONSULTATION RESPONSES RECEIVED:**

County Highways: Awaited

Planning Solicitor: Awaited

**COMMENTS ON CONSULTATION RESPONSES:**

None.

**POLICY CONTEXT**

Designation applicable to site:

Within Built Up Area

Planning Obligation

**DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN2 GEN7 DEV22	Built-up Area Boundary The Form of New Development Relaxation of Restrictions Relating to Occupation by the Eld
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**PLANNING POLICY GUIDANCE**

PPS1 PPG13	Delivering Sustainable Development Transport
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**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.

**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**

This application is for the variation of an age restriction on a single flat which is part of a large development and which was imposed under a Section 52 Agreement following the approval of LU/283/85. This restriction was imposed to ensure that no future change of use would require a greater number of car parking spaces in accordance with the Council's adopted car parking standards. However, there are other material planning considerations that must be taken into account, particularly the potential impact of younger people occupying units amongst those that are still subject to age restrictions and open space considerations. There are other flats within the development that are occupied by younger residents and it is not considered the relaxation of one additional unit would adversely affect the residential amenity of existing residents to a material extent.

Since the date of the signing of the agreement, car parking standard policies have been adjusted downwards. County Highways have been consulted.

Being a single unit within a larger development, it is considered that the relaxation of the Planning Obligation will ensure a satisfactory environment for the occupiers of the remaining restricted properties, as the overall character of the development will be maintained.

The observations made above show that the relaxation of the Planning Obligation at 16 Madehurst Court would be in accordance with Policy DEV22 of the Arun District Local Plan. It is therefore recommended that this request be approved.

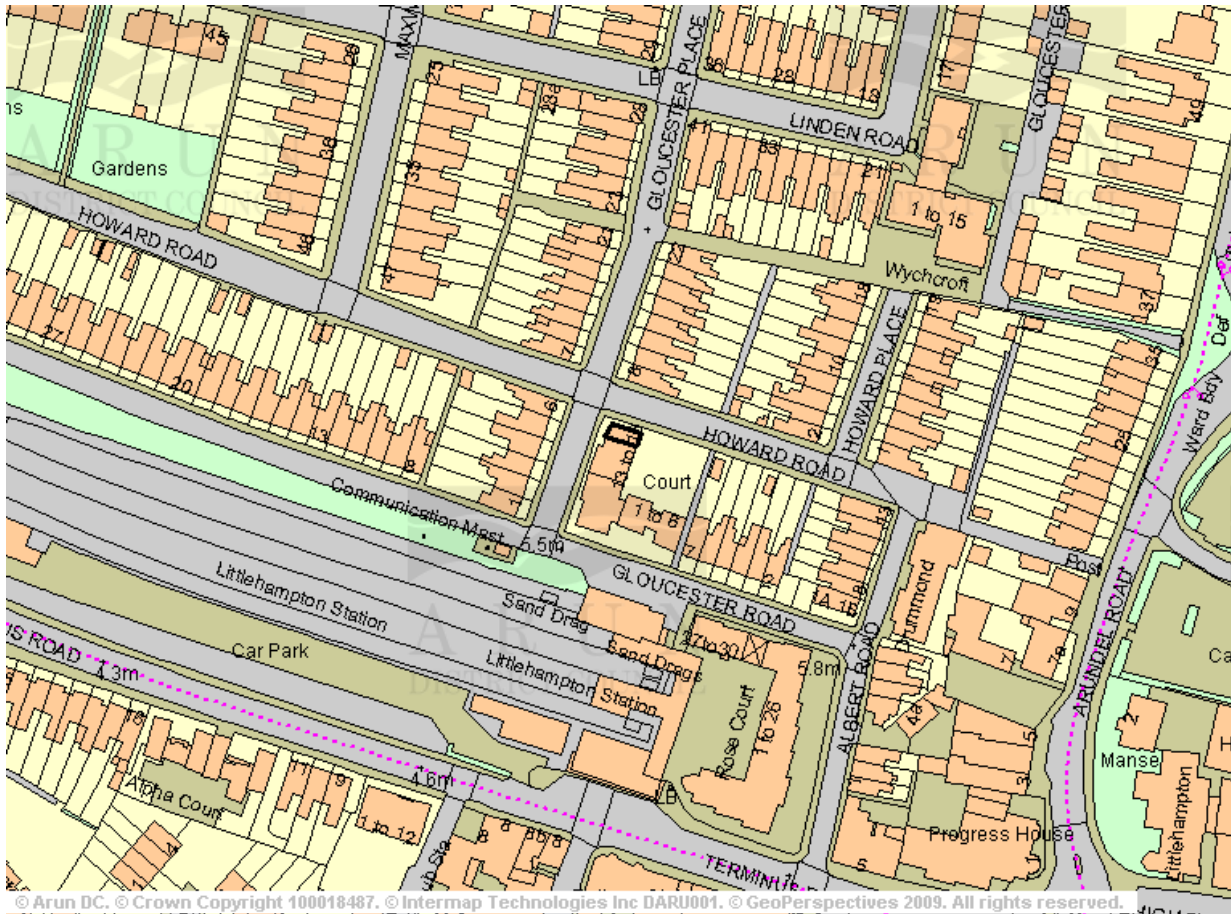
## **RECOMMENDATION**

APPROVE

**LU/50/10/PO Indicative Location Plan**

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**PLANNING APPLICATION REPORT**

**REF NO:** LU/54/10/

**LOCATION:** 9 Arundel Road (Rent a Film)  
Littlehampton

**PROPOSAL:** Change of use of rear section of shop (A1) to 1 no. 1 bed flat (C3) and internal alterations

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal would form 1No. self contained flat and maintain part of the existing shop unit and display area.
SITE AREA	Approximately 232 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Shop fronts the highway.
SITE CHARACTERISTICS	Site currently occupied by a a video store (A1 use) at ground floor level with a separate residential unit at 1st floor level. Metal stairway within access area to the south side of the property. Shop window at ground floor level, render at 1st floor level, hipped tiled roof.
CHARACTER OF LOCALITY	Sited within a residential area, existing shop unit adjoining and residential properties surrounding the site. Public car park opposite.

**RELEVANT SITE HISTORY**

None.

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Over-development of the site.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

The proposed change of use is not considered to be an over-development of the site as it would only form 1No. unit of residential accommodation and ground floor level and maintains an existing shop front which would be accessed separately.

**CONSULTATIONS**

WSCC Local Development Divis.

Environmental Health

**CONSULTATION RESPONSES RECEIVED:**

County Highways:

Not considered that highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of the development upon on-street parking.

Cycle parking to be provided, which is to be covered and secure. Details of which should be submitted to and approved by the Local Planning Authority.

Environmental Health:

Room sizes appear to be acceptable. No comments made.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted. The affect upon on-street parking is not considered to be detrimental given the siting of a car park opposite the site.

The proposed plans demonstrate a cycle parking area within the development.

**POLICY CONTEXT**

Designation applicable to site:

Within the built-up area boundary

**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
PPS3	Housing

**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.

**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 part change of use of existing retail unit (A1 Use) and the formation of 1No. self contained flat. The site is located within the built-up area in which development is acceptable in principle subject to relevant development plan policies.

### RESIDENTIAL AMENITY

The proposed change of use would not result in an increase of the scale of the existing building with only the inclusion of a door within the west elevation facing onto the rear amenity area of the site. The proposal therefore is not considered to give rise to unacceptable loss of amenity to adjoining residential and retail properties by way of loss of light or overlooking.

### VISUAL AMENITY

The proposed alterations would be to the rear of the property with the access onto Arundel Road being down an alleyway which serves as a stairway and entrance to the 1st floor residential accommodation. The proposal therefore is not considered to be viewed within the street scene and would not impact upon the character of the surrounding area.

### COUNTY HIGHWAYS

County Highways are satisfied that although the proposed flat has no parking provision and that on-street car parking is limited within the immediate vicinity, the proposal would not detrimentally affect highway safety.

The site is located within close proximity to Littlehampton Town Centre and Railway Station and therefore the nil parking provision is not considered intensify the requirement for on-street parking requirements.

### SUMMARY

The proposal is not considered to impact upon the appearance of the surrounding area nor the amenity of the adjoining use given that the proposal would not increase the scale of the existing building and no overlooking would occur. The site is within close proximity to public services and transport and therefore the impact of the development upon on-street parking is not considered to be detrimental.

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

## 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 This permission relates to the following approved plan, Drawing No. 0410:1.

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 **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

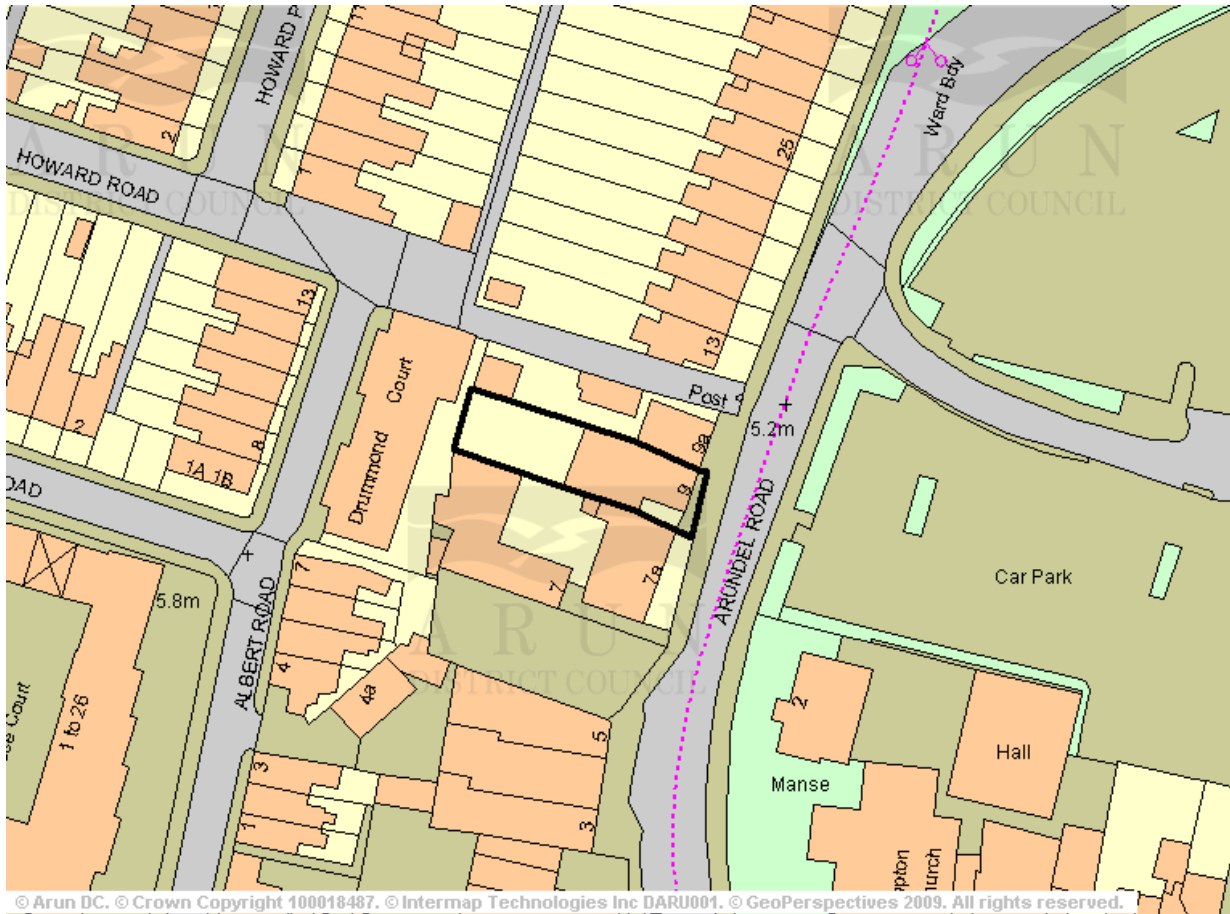
NATIONAL POLICIES: PPS1, PPS3

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

**LU/54/10/ Indicative Location Plan**

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**PLANNING APPLICATION REPORT**

**REF NO:** LU/63/10/

**LOCATION:** Land to the south of Hearnfield Rd  
Wick  
Littlehampton

**PROPOSAL:** Outline application for the erection of 24 dwellinghouses with new access off Hearnfield Road

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	<p>The proposal is in Outline form with layout and access forming part of the proposal. The proposal involves 24 dwellings - 4 x one bed, 9 x two bed and 11 x three bed houses. The dwellings would be a mix of two and two and a half storey in height. The creation of a new access involves the demolition of 7 Hearnfield Road. Landscaping and external appearance are to be considered as reserved matters. 39 car parking spaces are shown to be provided. Cycle and bin storage areas are also proposed.</p> <p>A Design and Access Statement, Flood Risk Assessment and Noise Assessment Report have been submitted as supporting documentation.</p>
SITE AREA	0.62 hectare.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	39 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing mainly to rear gardens of Hearnfield Road. Open boundary with 84 Lyminster Road is wire meshed. Vegetation to the south boundary with railway line. Hedgerow boundary on the western boundary.
SITE CHARACTERISTICS	Area of vacant/overgrown land adjacent to railway line and to rear of residential development. The existing dwelling to be demolished is a semi-detached bungalow, red-brick faced with a concrete roof.
CHARACTER OF LOCALITY	Generally residential area of mixed character. Hearnfield Road consists of bungalows. To the south of the site lies a railway line and beyond Combes Way, two storey development. On Lyminster Road, there is two storey development where the site lies adjacent to the road.

**RELEVANT SITE HISTORY**



LU/283/08/	Outline application for the erection of 14 dwellings and 10 flats with new access off Hearnfield Road and demolition of 7 Hearnfield Road (Departure from Development Plan) (Resubmission following LU/85/08)	Approved Cond + S106 06-01-2009
LU/85/08/	Outline application for the erection of 14 dwellings and 10 flats with new access off Hearnfield Road & demolition of no. 7 Hearnfield Road (Departure from the Development Plan)	Refused 03-07-2008  Appeal: Allowed+Conditions 19 01 2009
LU/302/06/	Change of use of land to gypsy and traveller site. (This is a Departure from the Development Plan)	Refused 16-11-2006  Appeal: Withdrawn 20 04 2007
LU/71/05/	Provision of 100% affordable housing involving the demolition of 7 Hearnfield Road & construction of 19 dwelling houses with associated car parking, play area & landscaping (Departure from the Development Plan)	Refused 30-06-2005  Appeal: Dismissed 01 03 2006
LU/169/04/	Demolition of 7 Hearnfield Road and the construction of 23 dwellings with associated parking and landscaping Re-submission of LU/82/03. (Departure of the Development Plan)	Refused 22-11-2004  Appeal: Dismissed 01 03 2006
LU/82/03/	Demolition of 5 & 7 Hearnfield Road and the construction of 27 dwellings with associated parking and landscaping (Departure from the Development Plan)	Refused 14-01-2004  Appeal: Dismissed 16 09 2004

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Parish Council representation:

Littlehampton Town Council:

Awaited

**COMMENTS ON REPRESENTATIONS RECEIVED:**

**CONSULTATIONS**

WSSC Local Development Divis.

Environment Agency  
Network Rail  
Sussex Police-Community Safety  
Parks and Landscapes  
Environmental Health  
Engineering Services Manager  
Engineers (Fluvial Flooding)  
Env. Amenities & Comm. Safety  
Southern Water Planning

**CONSULTATION RESPONSES RECEIVED:**

WSCC Local Development Divs.  
Parks and Landscapes  
Environment Agency  
Network Rail  
Sussex Police-Community Safety  
Parks and Landscapes  
Environmental Health  
Env. Amenities & Comm. Safety  
Engineers (Fluvial Flooding)

Consultation Responses:

County Planning Officer:

Awaited

County Highways:

Awaited.

Environmental Amenities:

Awaited.

Environment Agency:

Awaited.

Environmental Health:

The above report suggests that to achieve "reasonable" maximum noise levels in all bedrooms enhanced acoustic glazing is required together with alternative ventilation and a 2.5m barrier on the southern site boundary. "Good" general internal noise levels would also be achieved.

Alternatively, the report suggests that with a 3.5m barrier, standard thermal double glazing (with alternative ventilation) will achieve "reasonable" maximum and general levels.

Either option would be acceptable although enhanced acoustic glazing is desirable to achieve good general internal levels.

Furthermore, although desirable external noise levels are predicted to be achieved in adjacent

gardens to the proposed new access road without a 1.5m barrier, such a barrier will provide significant acoustic screening and good internal noise levels even with windows open for normal ventilation.

The position of the road side barriers are indicated in the Appendix to the report although there appears to be no indication in the submitted plans. There are also no elevation drawings (showing the heights) or details of the proposed barriers.

It is requested a Supplementary noise report is obtained.

Parks and Open Space:

Awaited.

**COMMENTS ON CONSULTATION RESPONSES:**

None - A supplementary noise report has been requested.

**POLICY CONTEXT**

Designation applicable to site:

Arundel and Littlehampton Strategic Gap  
Outside the Built-Up Area Boundary

**DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN2 GEN3 GEN7 GEN18 GEN29 GEN31 DEV17 AREA10	Built-up Area Boundary Protection of the Countryside The Form of New Development Crime Prevention Nature and Conservation Across the District Contaminated Land Affordable Housing Strategic Gaps
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**PLANNING POLICY GUIDANCE**

PPS1 PPS3 PPS7 PPS23	Delivering Sustainable Development Housing Sustainable development in rural areas Planning and Pollution Control
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**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.

**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 adopted Arun District Local Plan shows the whole of the site outside the Built-Up Area Boundary and within a Strategic Gap. The Strategic Gap seeks to prevent the coalescence of built-up areas of Littlehampton and Arundel.

There have been four appeals dismissed for housing on this site. In the most recent appeal concerning affordable housing (LU/71/05) and the 23 dwellings (LU/169/04), the Inspector indicated that residential development of the scale proposed on land identified as contributing to the objectives of a Strategic Gap would do harm to objectives of preventing coalescence. The Inspector further agreed with the Local Plan Inspector comments that development of the site would result in a significant cumulative erosion of the Strategic Gap.

PPS3 indicates that Local Planning Authorities should consider favourably planning applications for housing where there is a shortfall in an up-to-date five-year supply of deliverable sites. In the absence of an adequate land supply regard has to be had to considerations of achieving high quality housing, a good mix of housing for different groups of people, suitability of site for housing including environmental sustainability and efficient use of land.

Since these appeals, the Council has approved the report which proposes the removal of the Strategic Gap allocated from the site. Although this approval relates to the Local Development Framework, which has yet to be adopted, it is considered this is a relevant material consideration which should be attached significant weight. Together with the shortfall in the up-to-date five year housing land supply, it is considered that the principle of development is now considered acceptable in this location, although technically not in accordance with the Development Plan. The Secretary of State's recommendation in the South East Regional Plan in removing Strategic Gaps carries significant weight and Planning Application LU/283/08 has been approved for 24 residential Units on the site.

### **VISUAL AMENITY AND CHARACTER**

The Application is in Outline Form with layout being one of the considerations relating to this Application. Units 1 to 7 comprises two groups of terraced properties which represent a visual improvement on the more bulky 7 Unit long terrace previously approved under LU/283/08. The development totals 24 Units. Units 8, 9, 23 and 24 would have limited curtilages but the development as a whole would have a reasonable amount of space to site boundaries and would not be dissimilar to that previously approved. Elevational details of the dwellings would be considered at the reserved matters stage.

### **RESIDENTIAL AMENITY**

The terrace of 7 Units backing onto 9 - 13 Hearnfield Road which are bungalows have a minimum separation distance of 21 metres between these dwellings which is not considered to give rise to significant overlooking, loss of light or overbearing impact and has already been approved in LU/283/08. The terraces of dwellings nos. 1 - 7 are sited backing on to a nursery to the east.

However, Units 17 - 23 and the parking spaces serving these Units have been redesigned and relocated. No parking areas now abut the rear boundaries of nos. 19, 15 and 13 Hearnfield Road directions. Planting is to be provided to act as a buffer to the garden areas of these adjoining residential properties.

There will inevitably be some noise and disturbance from the vehicular access into the site but this is not considered significant to merit an objection to the proposals. The proposed access lies between 5 and 9 Hearnfield Road. The submitted noise assessment report shows that noise levels are satisfactory. Environmental Health have found this acceptable and access was approved in this position under LU/283/08.

## HIGHWAYS

County Highways comments are still awaited. On LU/85/08 they initially raised an objection on highway grounds. However, the highway issues relating to likely obstruction of the access caused by vegetation, the tracking and turning plots for refuse/fire vehicles, cycle parking and a Stage 1 Road Safety Audit and full designers Response were addressed. Indeed much of the information required was submitted with the Application. It is noteworthy that previous inspectors in dismissing appeals have not supported highway objections. In dismissing the previous appeals, concerning affordable housing (LU/71/05) and the 23 dwellings (LU/169/04), the Inspector indicated that "Many of those living locally consider that additional traffic from the proposed development would cause congestion and danger on the highway. However, there is no professional evidence to support such a view and from what I saw such harm should not arise".

## SUMMARY

The proposal is considered acceptable in terms of residential and visual amenity.

The Agents letter submitted with the Application indicates a unilateral undertaking relating to the provision of affordable housing will be submitted, to date no such undertaking has been received.

An agreement is also necessary to secure infrastructure contributions for schools, libraries and fire service and commuted sum for open space and play equipment such and an obligation is currently awaited.

Owing to the Statutory Publicity Period not expiring until 15th April 2010, it is recommended that the decision be delegated to the Head of Planning Services in consultation with the Chairman of the Development Control Committee.

It is therefore, recommended that subject to the satisfactory receipt of a Section 106 Unilateral Undertaking for infrastructure, provision affordable housing and open space and play provision being received by 14th June 2010 that the Application is approved subject to the Conditions set out overleaf. If no Section 106 Unilateral Undertaking is received by this date then the Application be refused on the grounds of lack of infrastructure, open space, play provision and affordable housing commuted sums.

## RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Scale;
- (b) Appearance;
- (c) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3 No development shall commence until precise details of the proposed road side barriers indicated in the appendix to the noise report have been submitted and approved in writing by the local planning authority. Any approved acoustic barrier shall be implemented in its full entirety before occupation of any residential unit approved as part of this permission and any approved facade reduction measures shall be implemented before the occupation of the residential unit that it is designed to serve.

Reason: To protect the amenities and privacy of occupiers of the residential development in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

4 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policies GEN7 and GEN31 of the Arun District Local Plan .

5 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent pollution of controlled waters by ensuring the provision of a satisfactory means of access in accordance with Policy GEN7 and GEN12 of the Arun District Local Plan.

6 No development shall take place until details of laying out, timetable for provision and future maintenance of the area shown on the approved plans for public open space have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the informal open space, which is considered a necessary part of the development, is provided to an acceptable standard within an agreed timescale in accordance with policies GEN7 and GEN8 of the Arun District Local Plan.

- 7 The accesses from the site to the public highway shall be designed, laid out and constructed with/kerb radii/visibility splays/and sight lines in all respects in accordance with plans and details to be submitted to and approved by the Local Planning Authority before any other operation or use authorised by this permission is commenced.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 8 No dwellings hereby approved, shall be occupied until the car parking spaces have been provided and surfaced in accordance with a detailed construction plan to be submitted and approved in writing by the local planning authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: to ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the public highways in accordance with policy GEN7 of the Arun District Local Plan.

- 9 The building hereby permitted shall not be occupied until space has been laid out in accordance with details approved by the Local Planning Authority for the turning and unloading of vehicles and the parking of vehicles clear of the public highway and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 of the Arun District Local Plan.

- 10 This permission relates to the following approved plans drawing nos. 04 and 07.114/35A.

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.

- 11 INFORMATIVE: The buildings shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the Local Planning Authority. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

- 12 INFORMATIVE: The applicant is advised to adopt satisfactory wheel washing facilities located adjacent to the construction site access to prevent mud and debris being deposited on the public highway.

- 13 This planning permission is granted because although the proposed development does not comply with the policies in the Development Plan listed below, in that the site lies outside the built-up area and within a Strategic Gap there are material considerations which indicate that it can be granted. As part of the Local Plan Framework Process, the Council has agreed the contents of a report that proposes the deletion of a Strategic Gap in this location. The Council does not have a full up-to-date 5 year land supply as defined in PPS3 and similar development has previously been approved on the site. The proposal is not considered to adversely affect the visual amenities of adjoining properties nor would it have an adverse impact upon the established character of the surrounding area or

adversely affect highway safety.

**RELEVANT POLICIES**

LOCAL PLAN: GEN1 GEN2 GEN7 GEN9 GEN15 GEN18 GEN20 GEN29 GEN31 DEV17  
AREA 10

NATIONAL POLICIES: PPS1 PPS3 PPS7 PPS23

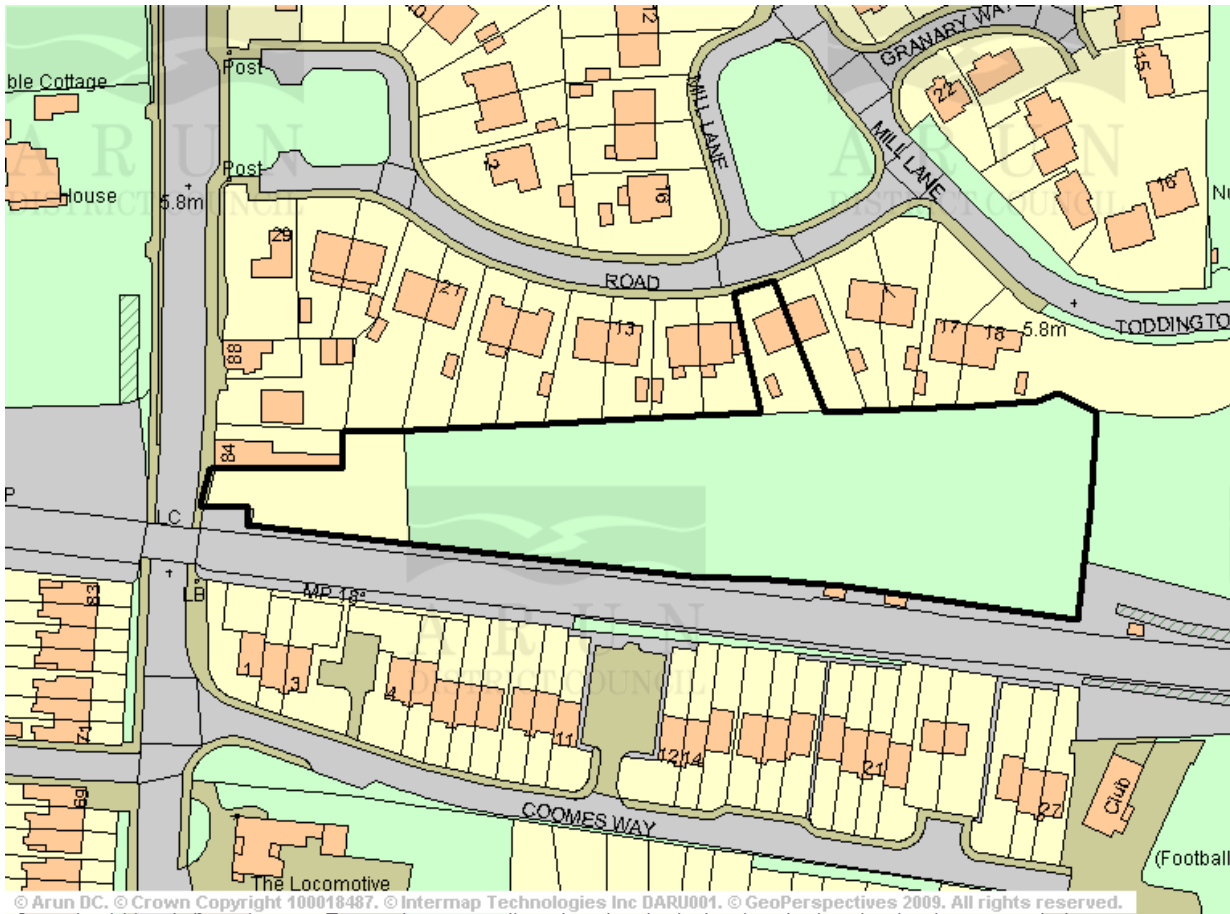
This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.



**LU/63/10/ Indicative Location Plan**

**(Do not Scale or Copy)**

*(All plans face north unless otherwise indicated with a north point)*



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**PLANNING APPLICATION REPORT**

**REF NO:** LU/364/09/

**LOCATION:** 10 East Street  
Littlehampton

**PROPOSAL:** Redevelopment of vacant former public house to incorporate the following:  
**1. Retention and conversion of main pub building to provide ground and part first floor serviced office together with conversion of upper parts and eastern wing to form three new residential units as 2 x 2 bed maisonettes and 1 x 3 bed house.**  
**2. Extension of northern wing, raising the roof by 900mm to provide additional first floor office space.**  
**3. Erection of 3 new 3 bed houses on land to the north of the existing building.**

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to convert and extend the former Gratwicke Arms public house and provide a terrace of 3 x 3 bedroom, 3 storey dwellings in the garden area to the north east. The existing building would be converted to 6 offices and 3 residential units (1 x 3 bedroom and 2 x 1 bedroom). The main corner building and eastern wing fronting Church Street will be retained together with northern wing fronting East Street with roof raised 900mm. The existing rear outbuilding together with the extension of the northern wing will be demolished.
SITE AREA	650 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	92 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	Large Pine tree on site frontage is to be felled. Tree is readily visible in street scene, but is misshaped where it has previously been pruned, in the area of the adjacent street lighting. Sycamore in rear corner of site visible and Holly on frontage also visible in street scene but not significant.
BOUNDARY TREATMENT	Brick wall to East Street to approx. 2m height. Buildings on frontage to Church Street. Walling to boundary with Vine Cottage to to rear garden open wire mesh.  Fencing and holly hedging to approx. 1.8m high. Flint wall to Flintstone Centre.
SITE CHARACTERISTICS	Existing 2.5 storey public house. Tile hung first floor elevations, painted render below. Plain tile roof. Premises are currently empty. Pub garden to north east.

## CHARACTER OF LOCALITY

Town centre location. Residential to east and north west.  
Retail and business uses to west and south.

## RELEVANT SITE HISTORY

LU/175/98/	Extension to form new ladies toilet and lobbies	Approve Cond 08-09-1998
LU/21/95	Alteration to provide kitchen and restaurant	Approve Cond 23-03-1995
LU/531/88	Change of use from ticket office to incorporate as part of Public House	Approve Cond 07-11-1988

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection. Over development of site. Overbearing re roof height and 3 storey buildings. Out of keeping with the area. No provision for parking. Incompatible with the existing buildings. Conflict with Conservation Area. Would damage neighbouring Listed Building and be harmful to the setting of this.

Other representations:

Littlehampton Civic Society objection This is a Conservation Area. Proposal is too high, too close to road and will overlook garden of Vine Cottage severely affecting light and privacy. Unacceptable sense of enclosure, overbearing and overshadowing. Development should be in style and in keeping with the existing environs.

9 letters of objection (including 4 from the same writer). Proposal should include car parking, site would be overdeveloped, 3 storey houses not appropriate would overlook neighbouring property Vine Cottage blocking out light. Morning light source is from west, and intrinsic massing. Main first floor bedroom windows within 5.5m of boundary with Vine Cottage. 2-storey houses would be more in keeping with the area and other properties surrounding the site. Development of garden unacceptable. Infill development in Conservation Area. The site is situated in one of the most historic areas of the town. Redeveloping the garden as proposed will dominate one of the oldest houses in the town. The proposed development is not in keeping. Would set a precedent. Overdevelopment. The proposed development is under 5 metres from one of the oldest houses in Littlehampton. Any demolition or construction must be done with due consideration for a property built in 1727 and not destabilise it.

The 8.4m height of the proposal is more suited to a city centre than a central tourist town. The addition is for a traditional Sussex design which has a lower overall ridge height and which can offer similar levels of accommodation by greater use of the ground floor area. Boundary with Vine Cottage is incorrectly shown. Trees within the proposed tree schedule and indicated on plan are within neighbour's garden. Neighbour does not want trees reduced/reshaped.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Comment on Town Council representation:

Proposal does not represent over development. The density is readily comparable with development in the locality particularly in Church Street and East Street. The proposal would not be overbearing given the distance to site boundaries. It is not out of keeping and does not conflict with the Conservation Area or the adjacent Listed Building. County Design Architect has no objection to the proposal.

Comment on other representations:

As above. Proposal would not set a precedent. There are no directly comparable sites. Boundary of site has been amended to exclude neighbour's land. If neighbour owns trees the applicant cannot undertake work without their consent. Site is sustainably located on the basis nil parking is acceptable. County Highways have no objection on highway safety grounds.

## CONSULTATIONS

WSCC Local Development Divis.

West Sussex - Listed Building

Environment Agency

Conservation Area Advisory Com

### CONSULTATION RESPONSES RECEIVED:

County Design Architect

The 2 terraced houses successfully relate to the streetscape. The detailing reflects the local vernacular scale. The gap between the proposal and the Listed Building allows it to be clearly defined.

The previous public house is being carefully subdivided.

This proposal in townscape terms makes a positive contribution to the centre of Littlehampton.

County Highways

Site is centrally and sustainably located. Nil parking is acceptable and will not result in any highway safety issues. There are no grounds upon which the proposal can be revisited. Cycle parking should be secured by condition.

County Architect

The application site is in the centre of Littlehampton and close to the medieval core of the town and port. It is suggested that the development of the terrace of 3 houses should be covered by a watching brief after the determination of the application and recommend a negative condition.

Conservation Area Advisory Committee

The new cottages do not closely match those opposite. Design does not enhance the Conservation Area. Overdevelopment.

Environment Agency

Objection. The FRA submitted with this application does not fully comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore; provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to:

Correctly identify the flood zone the development is located in. The entire site is within flood zone 3.

Take climate change into account for the lifetime of the development. Section 2.1 states that ground levels are approximately 2.3m to 3.0m AOD. This is broadly in line with our general data for the area. The predicted surge tide level for 2115 for Littlehampton is 5.3mAOD. We do not currently have flood depths modelled for this area; however, these levels show that there could be around 2 metres of flooding to the development. Proposed mitigation in terms of floor levels and demonstration of safe access and egress for the lifetime of the development are not sufficient when considering these potential depths.

Section 5.2 considers safe access and egress, however, no information is provided as to where these depths come from. In addition, these depths do not take into account climate change over the lifetime of the development.

The existing defences along the Arun are approximately 1 in 75 year standard. This is not sufficient to protect new development from the 1 in 200 tidal risks. The current state of these defences is also variable, so the risk of breach would need further consideration.

Before proceeding to a determination, your Local Planning Authority must apply the Sequential Test; that is, it must consider whether the applicant has demonstrated that no alternative sites are available in a lower flood risk zone, in accordance with Paragraph 17 of PPS25. Advice on the evidence required to show that the Sequential Test has been properly applied is set out in the Sequential Test table within our Standing Advice on development and flood risk and in the Practice Guide to PPS25.

**COMMENTS ON CONSULTATION RESPONSES:**

Conditions requested would be included in any approval. The comments relating to the sequential tests are noted. There are no other redundant pub sites within Littlehampton Town Centre that are directly comparable with the proposal. Applicant will be submitting further information in this respect.

County Design Architect has no objection to the proposal in terms of its impact on the character and appearance of the Conservation Area or the impact on the setting of the Listed Building.

**POLICY CONTEXT**

Designation applicable to site:

- Within built up area boundary
- Class B Road
- Class C Road
- Within designated Conservation Area
- Building or Structure of Character.

**DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN7 GEN10 GEN22 AREA2	The Form of New Development Tidal Flooding and Coastal Defence Buildings or Structures of Character Conservation Areas
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**PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historic Environment
PPS25	Development and Flood Risk

## **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 and the character and appearance of the Conservation Area, and adequacy of the Flood Risk Assessment.

## **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 character and appearance of the Conservation Area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation 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 principal site lies within the built-up area boundary where redevelopment is acceptable in principle subject to normal development control criteria being met.

The conversion of the building is acceptable. The building is a structure of special character on the Local List and the Local Planning Authority would encourage its retention. Facilitating long-term maintenance of the building would accord with policy GEN22 of the Arun District Local Plan.

The site also lies within a Conservation Area and again retention or re-use of the building would be encouraged to preserve and enhance the appearance of the area. The alterations, partial demolition and extension involved to accommodate the conversion are considered acceptable.

### **VISUAL AMENITY AND CHARACTER**

The appearance of the original building would not be compromised by the proposal. A gap is provided between the existing building and the new terrace of dwellings proposed which emphasises and defines the building. The County Design Architect is satisfied that the proposal, including the new building, in townscape terms makes a positive contribution the centre of Littlehampton.

Some trees are located within the beer garden area within the Conservation Area, but they are not of any particular merit and do not make a significant contribution to the appearance of the Conservation Area. A tree survey is submitted as part of the proposal and this demonstrates that the Sycamore has extensive decay.

The 3 terraced dwellings proposed in the existing public leisure garden would be similar in appearance and size of site to other properties in the locality and the detailing reflects local vernacular style. The forward position of the dwelling is similar to those properties to the northwest.

#### RESIDENTIAL AMENITY

The proposed dwellings would be located 6.5m to 7.8m from the rear/side boundary with Vine Cottage. This distance is acceptable to prevent any adverse overbearing resulting to the property to the rear. It is proposed that first floor windows would be half obscure glazed and roof lights in the second floor would be high level and limited in size. No material loss of privacy would therefore result to Vine Cottage. The 2-storey extension to the existing pub would be located 2.5m from the boundary with a low eaves height of 3.6m and no window openings are proposed in the end elevation. This distance is considered adequate to prevent any adverse unneighbourly effects arising.

#### HIGHWAYS

The site is sustainably located in the town centre with access to a range of facilities and frequent passenger transport within close proximity. Nil parking is proposed. Parking Standards are a maximum and County Highways Officer has no objection to the level proposed. Cycle parking is proposed.

#### FLOOD RISK

With regard to sequential testing the Local Planning Authority is satisfied that there are no similar redundant pub premises in a lower flood risk zone that would accommodate a comparable redevelopment proposal. The applicant has tried to address the Environment Agency objections but the information is not publically available and relies on the impact of possible future flood relief works over which the applicant has no control. It is therefore considered that based upon publically available and accessible Environment Agency information the applicant has adequately attempted to address flooding issues and withholding a decision until such time as the Environment Agency release further public information would be unreasonable.

The application is therefore recommended for approval subject to the following conditions.

The application is therefore recommended for refusal for the following reason.

### **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 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the south east elevations of the office extension or dwellings hereby permitted which adjoins the side boundary with Vine Cottage without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 3 The lower portion of the first floor windows on the south east elevation of the dwellings shall at all times be glazed with obscured glass and fixed to be non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the extensions and dwellings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwelling and extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The buildings shall not be occupied until details of secure and covered cycle parking facilities have been provided in accordance with a detailed construction plan to be submitted to and agreed by the Local Planning Authority.

Reason: To provide alternative travel options to the car in accordance with PPG13.

- 7 No development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun District Local Plan Policy GEN7 and PPS16 Archaeology & Planning.

- 8 This permission relates to the following approved plans TA 464/01, TA464/04, TYA464/07, TA464/15, TA464/16, TA464/05, TA464/08,TA464/06,TA464/09, TA464/10,TA464/18A,TA464/20 dated 19-01-2010, TA464/19B, TA464/17B,TA464/22A and TA464/13A dated 20-01-2010, TA464/02 ,TA464/21B, TA464/11B, TA464/14D, TA464/12B and A464/03A dated 25-01-2010

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.

- 9 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: GEN7,GEN10,GEN22,AREA2

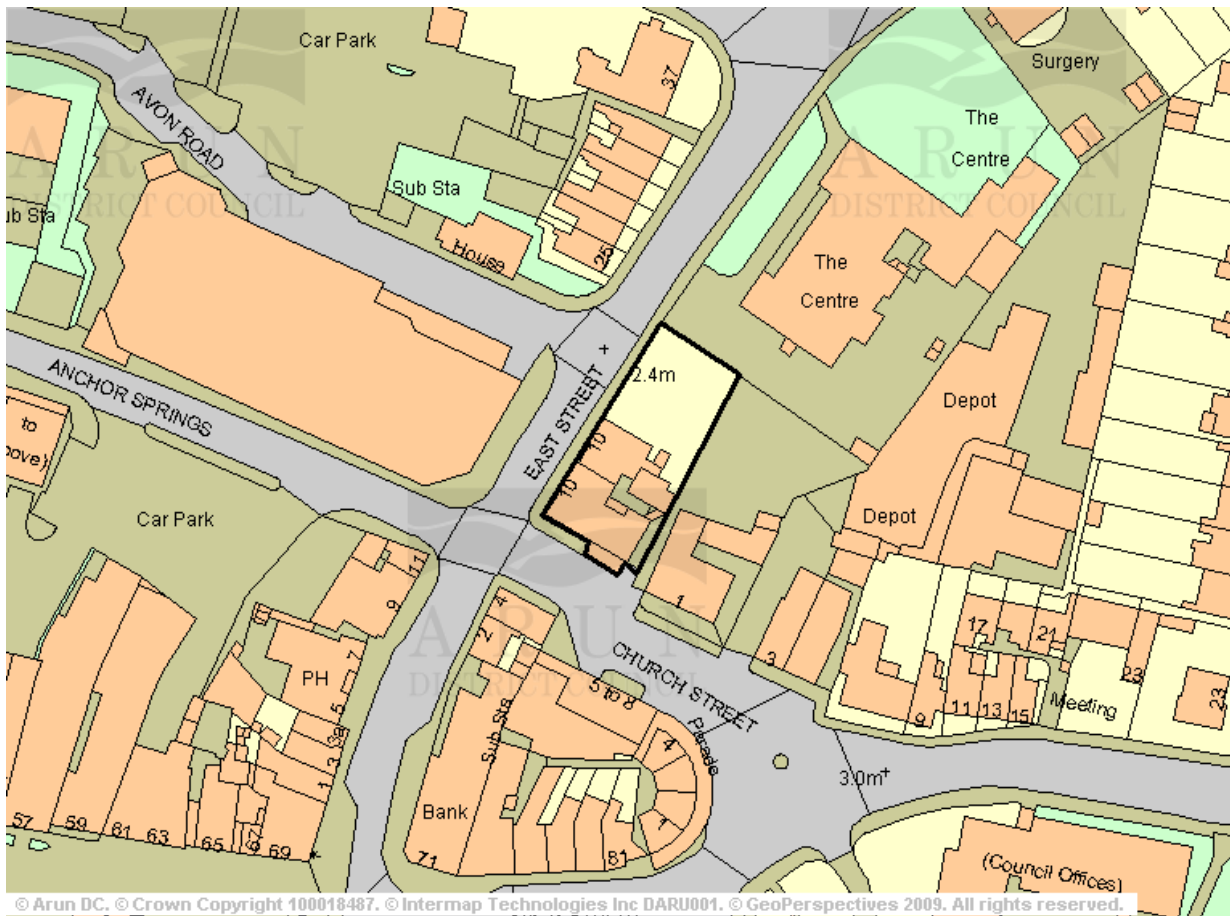
NATIONAL POLICIES: PPS1,PPS3,PPG15,PPS25

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

**LU/364/09/ Indicative Location Plan**

**(Do not Scale or Copy)**

*(All plans face north unless otherwise indicated with a north point)*



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**PLANNING APPLICATION REPORT****REF NO:** LY/2/10/**LOCATION:** Thelton House Apartments  
Crossbush Lane  
Lyminster**PROPOSAL:** Alterations to existing building to provide internal access to existing apartments and to enlarge and resite 2 no. two bed. houses approved under LY/20/09.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to provide internal access to existing apartments and to enlarge and resite 2 semi-detached dwellings adjacent to the apartments. This application amends earlier approvals in that the approved study remains incorporated at first floor to each house and the dwellings are orientated so that they face onto Crossbush Lane (to the north), not the field to the west. They are also now separated from the existing flats by approximately 4m.
SITE AREA	0.08 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	75 residential units per hectare.
TOPOGRAPHY	The application site is positioned at a higher level than Crossbush Lane.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the north of the site alongside Crossbush Lane, approximately 2m high fencing. Along the western boundary is a 1m high post and wire fence and beyond there is a paddock. Along the southern boundary is a thick hedgerow, approximately 6m in height.
SITE CHARACTERISTICS	Two storey semi-detached building, comprising four separate apartments. The building is attached to another similar building also comprised of apartments. The subject building is formed of white concrete render walls and brown tiled gable roof. Two storey extension to the west side, with red brick walls and a brown tiled hipped roof (approved under ref: LY/219/06). Application site currently grassed garden area to flats.
CHARACTER OF LOCALITY	Rural area. Ribbon development along road frontage characterised by large dwellings of varying designs on spacious sites. A public footpath runs parallel to the west side of the site, with an open field further west. Attached two storey property to the east side. Parking area to the

east side.

## RELEVANT SITE HISTORY

LY/20/09/	Alterations to existing building to provide internal access to existing apartments and extension to resite 2 no two bed houses - resubmission following LY/12/08	Approve Cond 29-10-2009
LY/12/08/	Alterations to existing building to provide internal access to existing flats, extension to provide 2 no. 2 bed houses. Resubmission following LY/6/08.	Approve Cond 05-12-2008
LY/6/08/	Two storey extension and roof alterations to provide 2 no. two bedroom houses and 2 no. one bedroom flats. - Departure from the Development Plan	Refused 14-07-2008
LY/29/06/	Two storey extension and associated works.	Approve Cond 12-12-2006
LY/5/00/	Side extension	Approve Cond 07-04-2000

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Lyminster & Crossbush Parish Council

No objection

5 letters of objection

This is a Greenfield site, outside built up area boundary. Proposal is contrary to policy. Character of village would be eroded. Directly opposite a Listed Building and would adversely affect its setting. South Downs Joint Committee should be consulted.

Site is clearly visible when travelling eastwards along Crossbush Lane. Thelton House being the first building on the western boundary of the Strategic Gap. A defining characteristic of the area of Crossbush and Warningcamp is that there are no houses directly facing each other across roads in these rural settlements. Application remains a departure from the development plan.

Non-descript design.

Fail to understand delegated decisions which should not be regarded as precedents. Such a precedent would surely encourage speculative development within the South Downs National Park and needs thorough consultation and careful consideration by the whole planning team.

Poor quality design and layout. Current application shows further significant increases to

the footprint and height of the new houses and detracts them completely from Thelton House. New houses now abut public footpath/Strategic Gap boundary. Revised plans have been received and may continue to be whilst application is current. Established trees/hedgerows have been cleared from the site.

Could set a precedent for infilling.

Description is misleading

Roof would be dominant and not subservient to existing property.

Inadequate parking provision.

Proposal is contrary to policy AREA10. The proposed development would not benefit the existing community. The site is within the designated South Downs National Park and this enabling policy should be assessed as within an AONB.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Removal of trees/hedging would not require planning approval.

There is no requirement to consult South Downs Joint Committee.

The site lies within an existing residential curtilage.

The built form and type of accommodation on the site has expanded incrementally since the original approval in LY/29/06, but each approval is a material planning consideration. It is not considered that the proposal has any adverse impact on the setting of the Listed Building on the opposite side of Crossbush Lane. The curtilages of both properties are separated by the road.

Further, it is not considered that the proposal would detract from the character of the area or from views into or out of the AONB. The extensions would be visually integrated into the street scene and would not appear as a discordant feature.

Roof of proposed dwelling is .6m higher than the front portion of Thelton House, but 1m less than its overall height.

The proposal is not an extension to the dwelling and therefore is not required to be visually subservient to the main dwelling, provided it is acceptable in terms of visual amenity.

Parking area is considered satisfactory.

The proposal does not abut the footpath. A 1m gap is provided to the boundary with the footpath.

**CONSULTATIONS**

WSSC Local Development Divis.

**CONSULTATION RESPONSES RECEIVED:**

South Downs Joint Committee - No objection. Site lies outside AONB but within National Park boundary. Countryside policies presume against new residential development without special justification. Committee is not aware any such justification exists in this case, but it is understood that permission has previously been granted for a similar extension to Thelton House and the only significant difference between that permitted scheme and the current is that

the two dwellings would be detached. Whilst the Joint Committee would normally wish to see policies protecting the countryside upheld, given this background, and the fact that it is considered the separation distances to be acceptable, if indeed not preferable no objection is raised to this application.

#### **COMMENTS ON CONSULTATION RESPONSES:**

None

### **POLICY CONTEXT**

Designation applicable to site:  
Outside the Built up Area Boundary  
Rights of Way  
Public Sewer on Site

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN3	Protection of the Countryside
	GEN4	Location and Travel Demand
	GEN7	The Form of New Development

#### **PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS7	Sustainable development in rural areas
PPG13	Transport

### **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.

### **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 proposal is for a detached building adjacent to the existing property, (which comprises 4no. residential units) to provide 2no. 2 x bed houses. This would result in a total of 6 residential units at the site.

The application site lies outside the built up area boundary adjacent to a Strategic Gap, but the extension would be located within the residential curtilage of the existing property and within the area of the previously approved extensions (LY/29/06, LY/12/08 and LY/20/09). It would not therefore compromise the integrity of the Strategic Gap.

Visual Amenity and Character

The design would be similar to the existing property and would be in keeping in the street scene. LY/29/06 was residential in nature and approved one additional bedroom to each existing flat, the use and principle of an extension has previously been agreed. LY/12/08 and LY/20/09 approved 2 x 2 bed dwellings adjoining the house. These permissions could still be implemented and are material planning consideration. The proposal would be similar in bulk to the building to the north.

Most properties in the locality front onto Crossbush Lane. The design and scale of the extensions would be similar to the existing property. The proposed dwellings would not therefore appear out of keeping in the street scene or have curtilages that significantly differ from other units in the locality.

The proposal would retain a 1m gap to the footpaths and fields to the west and a 4m gap to the existing house. The visual break between the existing property and the proposal reduces its bulk and massing in the street scene and allows space around the development.

Residential Amenity

The extension would be sited within the garden area facing the paddock to the west and would have no adverse overbearing or overshadowing effects on residential amenity. The parking area to serve the development now fronts Crossbush Lane providing retention of the garden area to the rear of the site adjacent to other gardens.

The application is recommended for approval subject to the following conditions.

**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 materials and finishes of the external walls and roofs of the dwellings hereby permitted shall match in colour and texture those of the existing building.

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

- 3 No dwelling hereby approved shall be occupied until covered secure cycle parking spaces have been provided in accordance with a detailed construction plan to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with PPG3

- 4 No development shall be commenced until the access to the proposed site have been laid out to provide visibility splays on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

These splays shall be:-

- (1) 2 metres by 2 metres on each side of the proposed access based on the existing highway boundary, together with sight lines defined by:-
- (2) (a) A line 2.4 metres long measured along the centre line of the proposed access from the line of the nearer edge of the carriageway of Crossbush Road.  
  
(b) Lines 120 metres long on each side of the access measured along the nearer edge of the carriageway of Crossbush Road, from their intersection with the centre line of the proposed access.  
  
(c) The straight lines joining the termination of the above lines.

No other work shall be carried out on the site until the above-mentioned sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 5 This permission relates to the following approved plans:- DA 10 2.02, DA 10 1.01 dated 05-02-2010 and DA 10 2.01revC dated 25-03-2010.

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.

- 6 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,GEN3,GEN4,GEN7

NATIONAL POLICIES: PPS1,PPS3,PPS7,PPG13

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

- 7 INFORMATIVE: The West Sussex County Council as Highway Authority would remind

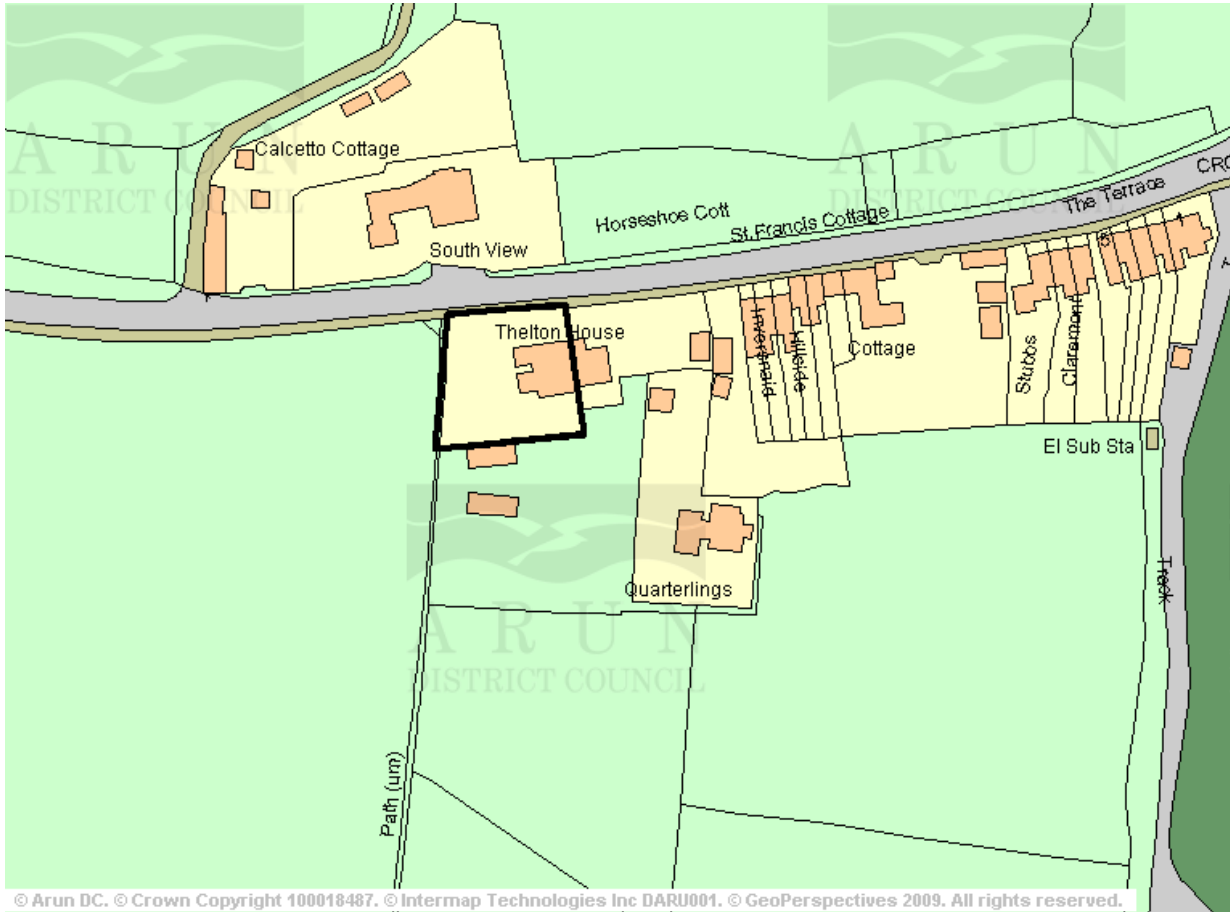


applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

- 8      INFORMATIVE: The applicant is advised to contact the Area Engineer, West Sussex County Council, Drayton Depot, Drayton Lane, Chichester, PO2 6BW. Telephone: 01243-836900 to obtain formal approval from the highway authority to carry out the site access works on the public highway.
  
- 9      INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

**LY/2/10/ Indicative Location Plan**  
**(Do not Scale or Copy)**

*(All plans face north unless otherwise indicated with a north point)*



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**PLANNING APPLICATION REPORT****REF NO:** R/36/10/**LOCATION:** The Fletchers Arms  
Station Road  
East Preston**PROPOSAL:** Outline Application with landscaping reserved for demolition of existing building and replacement with 9 affordable houses and 2 affordable disabled bungalows, with 17 car spaces and associated hardstanding**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is for 6 x 3 bedroomed, 3 - storey terraced houses, a terrace of 3 X 3 bedroomed 3 storey houses attached to a 2 bedroom bungalow and a detached 2 bedroom bungalow. The application is in outline form with only landscaping reserved. Access, appearance and scale form part of the proposal. 17 parking spaces are included in the layout most along the site frontage. Access would be gained from the existing. The application includes a tree report and a Stage 1 Safety Audit.
SITE AREA	.23 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	48 dwellings per hectare
TOPOGRAPHY	Predominantly flat. Slight incline from highway.
TREES	None of any significance affected by the proposed development. Shrubs to front. Trees on boundary to north. Leylandii on southern boundary between public house and flats. Trees to rear abut boundary with flats in Copper Hall Close.
BOUNDARY TREATMENT	Hedging to railway line various height approx., 2-3m and trees to north. Low wall approx., 600mm to front.
SITE CHARACTERISTICS	Detached 2 storey pitched roof Public House. Car parking to front and sides. Storage (including caravan) to rear. All front and side black hard surfacing is approximately equal to 2m deep soft landscaping to front mainly planted with cabbage trees  Swinging public house sign on post to front.  Pedestrian access through a pagoda type timber construction to front.  Vehicle access from front side (E).  Soft landscaping strip either side (1 & 3) containing mix of

hedging and trees.

CHARACTER OF LOCALITY

Mix of residential and commercial (principally retail). Railway line to north. Railway crossing to front. Railway Station (Angmering) to front, Opposite 3 storey block of flats and light industrial uses (including Arun Works Unit). Flats to rear. 3 storey flats to south with windows to side facing opposite. Flats to rear in Copper Hall Close. 3 storey with car park and bin store to north of flats and abut rear of opposite site.

## RELEVANT SITE HISTORY

R/250/02/	Erection of 9 no. 2 bedroom flats with associated on site parking and service.	Approve Cond 12-02-2003
R/118/97	Single storey extension to give disabled access and toilet facilities	Approve Cond 09-09-1997
R/92/93	Alterations and extensions	Approve Cond 26-07-1993
R/161/86	Proposed change of use from sorting office to a christian meeting room with flat over	Approve Cond 08-09-1988
R/127/74	Amendment of approved proposal to alter existing building & provide new rear extension to form Postmans Delivery Office	Approve Cond 09-08-1974

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Awaited

Other

Awaited

### COMMENTS ON REPRESENTATIONS RECEIVED:

## CONSULTATIONS

WSCC Local Development Divis.

Network Rail

Parks and Landscapes

Environmental Health

Planning and Housing Strategy

### CONSULTATION RESPONSES RECEIVED:

County Highways - The proposed scheme offers a potential reduction in the total number of daily vehicle movements. a condition is suggested with regard to visibility and tactile paving.

The 17 parking spaces are within WSCC maximum. The site is sustainably located very close to the station and bus stop.

County Archaeologist - Site lies within a prehistoric and common landscape and to the south is a bronze age/iron age settlement. A watching brief is suggested.

Environmental Health Officer - There is no reason on the grounds of road traffic or railway noise to the planning consent for the development to be withheld. However, certain measures are required to ensure an adequate level of protection against noise.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

### **POLICY CONTEXT**

Designation applicable to site:

Within built up area  
Class B Road

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN18	Crime Prevention
	GEN20	Provision of Public Open Space within New Development
	GEN32	Noise Pollution

#### **PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG24	Planning and Noise

### **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.

### **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 site lies within the built-up area boundary where residential redevelopment is acceptable in principle subject to visual development control criteria being met.

### VISUAL AMENITY AND CHARACTER OF THE AREA

The site lies in an area of mixed residential style varying in height from 2 to 3 storeys. The proposed 2/3 storey height of the dwelling would therefore be in keeping with the general scale of development in the locality. The density of development would be similar to other development. The properties to the north have very limited rear garden areas. The dwellings each have a reasonable rear amenity area. The dwellings to the site frontage would be set back from the road frontage approximately in line with Charlotte House to the south and the position of the existing public house and would therefore be assimilated into the street scene. The 17m gap to the site frontage also reduces the bulk and prominence of the development. The pub is set back from the sited frontage with hard standing in front so the provision of parking in this area would not be unacceptable. A buffer landscape strip will be provided to soften the appearance of parked vehicles in the street scene.

It is proposed to remove several trees at the site, but they are not considered to be of significant value to warrant protection. Replacement planting and landscaping would be dealt with at reserved matters stage.

### RESIDENTIAL AMENITY

The units to the rear of the site which are close to adjoining development are single storey. A gap of 1m is retained to the west but the roof would pitch away from this boundary. Given the orientation of the proposed dwellings, their distance and height it is not considered any adverse overbearing or overlooking effects would result to adjoining properties.

It is therefore recommended that the application is approved subject to the following conditions provided that the commuted sum payment in respect of open space provision is received before the 24-05-2010. If no payment is forthcoming by this date then the application will be refused on the grounds of a lack of open space commuted sums.

## RECOMMENDATION

### APPROVE CONDITIONALLY

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years

from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The buildings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The development hereby approved shall not be occupied until visibility splays of 2.4 metres by 43 metres have been provided at the centre of the site vehicular access onto Station Road , with the exception of the existing trees , these visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The development shall not be occupied until tactile paving in accordance with the Department for Transport's Guidance on the Use of Tactile Surfaces and to the satisfaction of the Highway Authority, has been installed at the existing access onto Station Road.

Reason: In the interests of road safety in accordance with policy GEN7 of Arun District Local Plan.

- 6 No development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun District Local Plan Policy GEN7 and PPS16 Archaeology & Planning.

- 7 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor or above in the south elevation of plot 6, or the east elevation of plot 7 of the dwellings hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 8 The windows at first floor level on the south elevation of plot 6 and on the east elevation of plot 7 shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 9 This permission relates to the following approved plans 01revA, 02, 03, 04, 05, 06, 07, 08 dated 22-02-2010.

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.

- 10 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,GEN18,GEN20,GEN32

NATIONAL POLICIES: PPS1,PPS3,PPG24

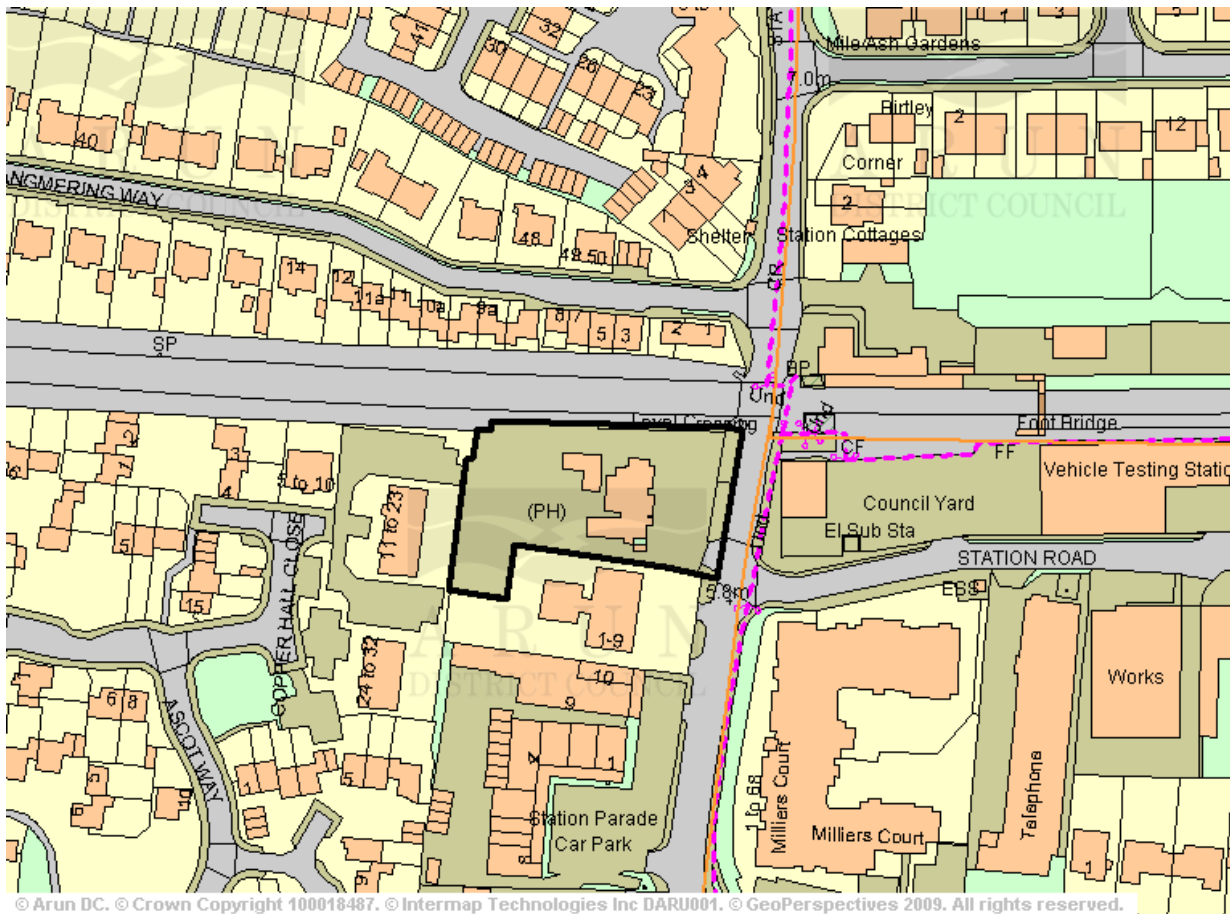
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- 11 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.



**R/36/10/ Indicative Location Plan**  
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