

PLANNING APPLICATION REPORT

REF NO: LU/340/21/PL

LOCATION: The Old Printworks
7 Arundel Road
Littlehampton
BN17 7BY

PROPOSAL: Application for works to existing building including; Insertion of new windows and rooflights, infilling of windows, replacement of windows, addition of French doors and Juliette balcony, and replacement of roofs and new coping to flint wall. This application is in CIL Zone 4 and is zero rated as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>As above. The application is partially retrospective as most of the works are understood to have been completed.</p> <p>The pre-existing ground floor windows consisted of a mixture of dark (grey/black) painted steel framed casement windows and multi-paned crittal windows with obscure glazing and restricted outward opening casements and fanlights. At first floor level the windows were clear glazed. The replacement ground floor windows would mainly consist of dark grey powder coated aluminium framed single paned top-hung windows with obscure glazing and restricted outward opening to the outer edge of the window cill. The new ground floor window on the southern elevation is clear glazed. The replacement first floor openings on the northern elevation consist clear glazed window and French doors with Juliette balcony. The replacement gable end window on the eastern elevation is clear glazed. The replacement first floor window and ground floor window on the western elevation is clear glazed.</p> <p>The application also shows the addition of 3 new velux rooflights and 1 lantern rooflight. A new ground floor window is added to the south elevation, a first floor window infilled on the west elevation, and 3 ground floor windows on the north and east elevations infilled or partially infilled.</p> <p>The works also include the removal of the parapet and chimneys and replacement with a new roof to the flat roof parts of the building, and replacement of the concrete lintel with new brick detail and coping to the southern wall.</p> <p>The drawings have been amended during the course of the determination period to clarify the pre-existing, existing and</p>
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proposed framing material, type of glazing and opening mechanism. The new roof light on the northern roof slope is also now labelled as obscure-glazed.

SITE CHARACTERISTICS

The site consists of a part single part two storey old industrial building (The Old Printworks) located at the rear of no.7a Arundel Road (The Georgian House), in Littlehampton. The building was most recently in use as a printing workshop (former B1 use class, now E use class). The building has a dual-pitched tiled roof section and flat roof sections. The building is constructed of part brick, part plain concrete render elevations. The southern boundary wall adjacent to the retail parade car park is a brick and flint wall with concrete lintels. On the north and east elevations the building faces into the private garden courtyard belonging to the neighbouring property, no.7a, The Georgian House.

CHARACTER OF LOCALITY

Town centre location with mixture of residential and commercial uses and different ages and styles of buildings. Just to the east of the site adjacent is no.7a Arundel Road 'The Georgian House', which is a Locally Listed Building and Structure of Character.

RELEVANT SITE HISTORY

LU/86/16/PL	Conversion & first floor extension of vacant printing works to form 2No. 2 bed dwellings	ApproveConditionally 22-07-16
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In 2016, planning permission was granted under ref. LU/86/16/PL for the conversion and extension of the first floor of the former printing works to form 2 x 2 bed dwellings.

This planning permission has now expired (beyond 3 year time limit). The current application shows the provision of 2 workshops and 2 shower rooms at ground floor level and an office and shower room at first floor level. Any change to the layout to include new residential units would require separate planning permission.

REPRESENTATIONS

Littlehampton Town Council -
Objection.

Adverse impact on residential amenity of neighbouring property, due to close proximity, overlooking and loss of privacy and opening of windows into neighbour's premises.

2 other letters of objection were received, summarised as:

- New windows open into the courtyard garden of the neighbouring property no.7a The Georgian House, resulting in trespass. New windows less thick/effective obscure glazing than previous windows and degree they open results in threat to privacy and security of The Georgian House.
- Proposal includes installation of French doors and Juliette balcony and use of the flat roof as a garden terrace, which would look directly down into the courtyard garden and across to the windows including bedroom window of The Georgian House. A solid fence of at least 5ft in height should be installed along

the perimeter of the flat roof.

- New Velux window on northern elevation is directly outside bedroom window to The Georgian House, providing direct views into bedroom and loss of privacy.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. These matters will be addressed in the Conclusion section of the report.

It is also noted that matters of ownership, covenants on land and buildings and trespass are a legal civil matter not a planning matter.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Heritage Officer -

No objection.

The proposed alterations to fenestration and flint wall will have a neutral impact on nearby Locally Listed Building and Structure of Character.

Natural England -

No comments to make.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in Conclusion section of report.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary (Littlehampton)

Littlehampton Economic Growth Area

Adjacent to a Building of Special Character (The Georgian House)

Within 2km of SSSI

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
EMPDM1	EMP DM1 Employment Land: Development Management

[Littlehampton Neighbourhood Plan 2014 Policy 17](#) Buildings and Structures of Character

Littlehampton Neighbourhood Plan 2014 Policy 1 The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

The policies contained within the Littlehampton Neighbourhood Plan are relevant in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

The proposal is considered to comply with relevant Development Plan policies in that it would have an acceptable impact on residential amenity, visual amenity and heritage.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES:

The key issues in the determination of this application are as follows:

- Impact on residential amenity.
- Impact on visual amenity.
- Impact on heritage assets.
- Enhancement of employment premises and sites.

RESIDENTIAL AMENITY:

Paragraph 130 (f) of the National Planning Policy Framework (NPPF) 2021 states development should have a high standard of amenity for existing and future users.

Policy D DM1 of the Arun Local Plan (ALP) 2018 states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy D DM4 (c) requires that alterations do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Policy QE SP1 states the Council requires development to contribute positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity.

The ADC Design Guide SPD 2021 includes detailed guidance on the protection of residential amenity, including setting out the required separation distances between habitable rooms to ensure privacy (Section H.04) and measures to maintain privacy (Section J.02).

The Littlehampton Neighbourhood Plan (LNP) 2014 contains no policies specifically in relation to residential amenity.

The works have replaced the pre-existing ground floor obscure glazed casement and multi-paned crittal windows which had restricted opening with new obscure glazed single paned windows also with restricted opening. The ground floor windows on the northern and eastern elevations of the Old Printworks building face directly inward toward the courtyard garden of the neighbouring property, no.7a, The Georgian House. Since the drawings show that all of these new ground floor replacement windows are/will be fully obscure glazed and with restricted opening (top-hung, opening to outer edge of window cill), there is no increase to overlooking or loss of privacy to this neighbouring garden or property as a result of the proposals, in comparison to the previous obscure glazed restricted opening windows. If anything, the opening mechanism of the new windows being top-hung rather than the side opening casements or top fanlights of the previous windows arguably reduces the views out from the new windows and the degree of overlooking toward the garden courtyard as only limited and acceptable downward views out are possible from the new windows.

The replacement first floor windows on the eastern elevation of the Old Printworks are also obscure glazed and with restricted opening, thus avoiding any overlooking to no.7a, and improving on the previous situation where these windows were clear glazed and had unrestricted opening. The proposed enlarged window to the eastern gable end of the single storey section of the building would be clear glazed rather than the previous obscure glazed, however, this would be a high-level window well above 1.7m above finished floor level so would not provide any intrusive angles of view to no.7a.

The replacement openings at first floor level on the northern elevation of the building replace 2 clear glazed windows with 1 clear glazed window and French doors with Juliette balcony. The previous windows in this location were clear glazed and as such there is no material increase in overlooking or loss of privacy to the nearest occupants at no.7a and 9 Arundel Road or the flats at Drummond Court as a result of the changes.

Concern has been raised by objectors that the inclusion of French doors and a Juliette balcony is and will give rise to the use of the adjacent flat roof as a roof terrace serving the occupiers of the Old Printworks.

A roof terrace has not been applied for, nor any perimeter treatment i.e. railing/fencing around the flat roof area shown on the drawings. Notwithstanding, for the avoidance of doubt, a planning condition is recommended to be applied to ensure no use of this flat roof as a terrace to avoid overlooking impacts on no.7a and Drummond Court.

On the western elevation, at first floor level, one existing window is infilled and one clear glazed window is replaced with a new clear glazed window. Given the previous window in this location was clear glazed, there would be no material increase in overlooking or loss of privacy to the directly facing occupants at Drummond Ct. At ground floor level the replacement window would be clear glazed but given this window is behind a tall wall it would be screened and would not give rise to overlooking toward Drummond Court.

On the southern elevation, at ground floor level, there is a new clear-glazed window, however given its partially screened behind a wall and would face toward the boundary wall and customer car park it would not result in any harmful overlooking.

The 3 new rooflights and roof lantern are at a sufficient height above finished floor level of the Printworks building that it would not be possible to achieve clear views towards neighbours. The rooflight on the northern roof slope serves a shower room and in order to protect the privacy of the future occupiers of the application property, the drawing has been amended to show this will be obscure glazed and a planning condition will be added that this needs to also be fixed shut.

In conclusion, subject to planning conditions to ensure the replacement windows as shown on the approved drawings as so are to remain obscure-glazed and with restricted opening in perpetuity, that the flat roof not be used as a roof terrace, and that the northern rooflight be obscure glazed and fixed shut, the proposals would not give rise to harmful overlooking or loss of privacy to neighbouring occupants or future occupants of the development. The proposals would thus protect residential amenity, in accordance with the NPPF, policies D DM1, D DM4 and QE SP1 of the Arun Local Plan, Policy 1 of the Littlehampton Neighbourhood Plan, and the ADC Design Guide SPD.

VISUAL IMPACT:

Para 124 of the NPPF states that planning decisions "should support development that makes efficient use of land, taking into account..." amongst other things "(d) the desirability of maintaining an area's prevailing character and setting". Para 130 requires that applications for developments (b) are visually attractive as a result of good architecture and (c) are sympathetic to local character and history, including the surrounding built environment. Para 134 states "Development that is not well designed should be refused".

Policy D SP1 of the Arun Local Plan (ALP) states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of design quality, including; character and appearance. Policy D DM4 sets out criteria for which applications relating to alterations of existing buildings must be assessed against including (a) the alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials and (b) the alteration is visually subservient to the main building. The ADC Design SPD provides detailed guidance on alterations.

The Littlehampton Neighbourhood Plan contains no specific policies in respect of the design of minor alterations (only Policy 22 which relates to the design of major development proposals).

The more traditional pre-existing casement and multi-paned crittal windows were more suitable and sympathetic in appearance to the industrial character of The Old Printworks building, than the

replacement top-hung single paned windows and French doors. Notwithstanding, the majority of the replacement openings are not visible in public views within the street scene and only in visible in private views from surrounding properties. In addition, the replacement fenestration, whilst less traditional and industrial in character than the previous fenestration, simply provides a more contemporary appearance to the fenestration of the building as it evolves over time. The altered fenestration does visually integrate with and is subservient to the building. The dark grey coloured framing is similar to the dark coloured framing of the previous windows. The previous windows and doors were in a poor state of repair with corroded metal framing and peeling paintwork so there is an argument that these alterations actually improve the overall appearance of the building. The proposed roof lantern and roof lights are minor alterations with acceptable visual impact. In conclusion, the alterations to the fenestration do not appear visually prominent or harmful and have an acceptable impact on the appearance of the building and visual amenity of the area.

The works also include the removal of the parapet and chimneys and replacement with a new roof to the flat roof parts of the building, and replacement of the concrete lintel with new brick detail and coping to the southern wall. The removal of the parapet and chimneys has an acceptable visual impact and the replacement flat roof has a neutral impact. The removal of the previous poorly constructed concrete coping and its replacement with flat black coping improves the appearance of this southern boundary wall.

In conclusion, the alterations to the building have an acceptable visual impact on the appearance of the building, the character and visual amenity of the area, in accordance with the NPPF, policies D SP1, D DM1, D DM4 of the Arun Local Plan, Policy 1 of the Littlehampton Neighbourhood Plan, and the ADC Design SPD.

HERITAGE:

Paragraph 195 of the NPPF requires the LPA to identify and assess the significance of any heritage assets affected by a proposed development. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset 'great weight' should be given to the heritage assets conservation. Para 202 states that where proposals would lead to 'less than substantial harm' to the significance of a heritage asset, this harm should be weighed against the public benefit of the proposal.

Arun Local Plan policy HER SP1 requires that development proposals must conserve or enhance the historic environment, which includes the highest protection being given for designated heritage assets including listed buildings/structures, their settings and Conservation Areas. Policy HER DM2 relates to Locally Listed Buildings and Structures of Character.

Policy 17 of the Littlehampton Neighbourhood Plan relates to Buildings and Structures of Character stating that "The effect of a planning application proposal on the significance of these non-designated heritage assets will be taken into account in determining the application in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal."

The former Old Print Works is not a Listed Building, and it is not located within a Conservation Area. However, the Georgian House (7a Arundel Road) has been identified by the Local Planning Authority and the Littlehampton Town Council as a Locally Listed Building or Structure of Character. The Georgian House is a well maintained and pleasant three bay (i.e. the number of windows in a horizontal line across a facade rendered house of two storeys, with multipaned sliding sash windows.

The Council's Conservation Officer has commented on the proposals, summarised as follows:

The proposal is for works to refurbish the former print works building so that it can be put back into use. This includes replacement windows and doors as well as repairs to a flint wall on the southern elevation.

The method of opening/operation of the windows has changed: A review of the photographs/plans identified that the previous windows were black (or similar) painted steel Crittall framed casements, some of which were multi-paned, whereas the newly installed windows are dark grey powder coated aluminium framed single paned and top hung. Whilst it is regrettable that the method of operation of the windows has changed, their simple appearance and dark colour will have a neutral impact on the appearance of the Old Printworks and the significance/setting of the Locally Listed Georgian House.

The removal of the poorly constructed concrete coping and replacing it with a black flat coping above the flint wall, whilst not necessarily ideal, will discretely cover the layer of bricks below it and appear better than the previous poor quality concrete version. As such, it will have a neutral impact on the appearance of the Old Printworks and the significance/setting of the Locally Listed Georgian House.

In conclusion, overall, the proposals would have a neutral impact on the appearance of the Old Printworks and the significance/setting of the Locally Listed Georgian House, and therefore accords with the NPPF, policies HER SP1 and HER DM2 of the Arun Local Plan and policy 17 of the Littlehampton Neighbourhood Plan.

ENHANCEMENT OF EXISTING EMPLOYMENT PREMISES/SITE:

Policy EMP DM1 of the Arun Local Plan states the Council will seek to enhance existing employment sites and premises, and will support appropriate proposals for upgrading and/or modernising existing premises.

The proposals refurbish an existing employment premises (former Printworks) with new roofing and windows and this would upgrade and modernise the existing premises which are to be brought back into use as workshops.

SUMMARY:

The proposals, subject to planning conditions as recommended in this report, would have an acceptable impact on the residential amenity of existing and future occupiers, the visual appearance of the building and area, and the significance and setting of the adjacent Locally Listed Building of Character. It would also support the enhancement of an existing employment premises and site. As such, the proposals accord with all relevant Development Plan policies and are recommended for approval, subject to the following conditions and informatives;

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to

be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Pre existing elevations north & east (drawing no. TA 1374/ 04 Rev B)
- Pre existing elevations south & west (drawing no. TA 1374/ 05 Rev B)
- Existing elevations north & east (drawing no. TA 1374/ 12 Rev B)
- Existing elevations south & west (drawing no. TA 1374/ 13 Rev B)
- Proposed elevations north & east (drawing no. TA 1374/ 22 Rev B)
- Proposed elevations south & west (drawing no. TA 1374/ 23 Rev C)
- Proposed ground floor plan (drawing no. TA 1374/ 20)
- Proposed first floor plan (drawing no. TA 1374/ 21)
- Proposed roof plan (drawing no. TA 1374/ 24)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4, QE SP1, HER SP1 and HER DM2 of the Arun Local Plan.

2 The brick infill of the previous windows as shown on the existing and proposed approved drawings shall be in brickwork to match the existing brickwork of the building.

Reason: To ensure a consistent appearance, in the interests of visual amenity, in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

3 The windows and doors shown as obscure-glazed and with restricted opening to the outer edge of the window cill as shown in the existing and proposed approved drawings must in perpetuity;

(i) at all times be and remain glazed entirely with obscure glass.

(ii) at all times be and remain on restricted openers, opening to a maximum of the outer edge of the window cill.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

4 The flat roof area/s of the building shall not be used at any time as a balcony, roof garden or similar amenity area, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 5 The new velux rooflight on the northern roof slope of the building shall be both obscure glazed and fixed shut at all times and remain as such in perpetuity, with the exception of for maintenance purposes only where the prior written agreement from the Local Planning Authority will be required.

Reason: To safeguard the amenity of the future occupants of the application property, in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 6 INFORMATIVE: For the avoidance of doubt, the current permission does not grant permission for use of the building for residential accommodation and this would require a separate planning application and permission.
- 7 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

LU/340/21/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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