AB/155/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Variation of Condition 1 on application AB/41/03 for the conversion of existing offices into a one-bed flat and 2/3-bed flat to extend permission for a further 2 years. 12 First Floor, High Street, Arundel

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is as above and seeks to extend the date of implementation for a further 3 years from the date of approval.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	N/A
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Flats above Secrets Shop, with office at first floor. Residential at rear. Side gate and entrance to residential.
CHARACTER OF LOCALITY	Mixed commercial, in the centre of Arundel Town Centre with some residential above commercial properties.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AB/41/03	Change of use from offices to two self-contained flats – 1 x 2/3 bedroom and 1 x 1-bedroom.	Approved Conditionally 6/5/03

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Arundel Town Council	No objection.
Local Groups	None
Others	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Conservation Area Advisory Committee	No comment.

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Designated Conservation Area Listed Building Grade II Class 'C' Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1, CH1, CH4, CH5
Arun District Local Plan : GEN7, GEN12, AREA 2

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
PPS 3 - Housing
PPG 13 - Transport
PPG 15 - Planning and the Historic Environment

POLICY COMMENTARY

The above policies combine to describe the development control criteria against which all proposals will be determined by the authority particularly with regard to the effect on neighbouring properties.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

None

ASSESSMENT OF PROPOSAL

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 the proposed change of use will not cause any loss of residential amenities for surrounding properties, as there has been no significant change in policy to determine the application other than previously.

In this case policy issues for consideration include:

[In addition, the proposal affects a Listed Building or its setting and section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states:

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of reserving the building or its setting or any features of special architectural or historic interest which it possesses."]

(The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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.")

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

The proposal for the conversion of offices into one 1-bedroom flat and one 2/3-bedroom flat was approved [AB/41/03] and Condition 1 of the approval was that the proposal was implemented before the expiry of 5 years of the date of the permission 6th May 2003. The application would, therefore, expire in 2008.

This proposal effectively is for a renewal of an unimplemented planning permission.

The application is being determined in line with current policies. There have not been any significant changes in policy that would result in the application receiving a decision contrary to that original decision. The proposal would not adversely affect the residential amenities of neighbouring residential properties. Therefore it is recommended that the application is approved subject to the conditions set out overleaf.

RECOMMENDATION AB/155/07/

TOWN AND COUNTRY PLANNING ACT 1990

RECOMMENDATION

Application Ref: AB/155/07/

1 **To Addressee**

2 **Site Address**

First Floor
12 High Street
Arundel

3 **Description of Development**

Variation of condition 1 on application AB/41/03 for the conversion of existing offices into a one bed flat and a 2/3 bed flat - to extend permission for a further 2 years

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

CONDITION 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).

CONDITION 2 INFORMATIVE:

The bathroom for flat 1 and the 2nd floor mezzanine bedroom to flat 2 are below the minimum standard of 7 metres square as required under environmental health legislation..

CONDITION 3 INFORMATIVE

Any external alterations and structural internal alterations should be the subject of an application for Listed Building Consent. No works should be carried out until consent has been granted under this legislation.

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

STRUCTURE PLAN: DEV1, CH4, CH4, CH5

LOCAL PLAN: GEN7, AREA2

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.

Case Officer: Mrs S Leeson