

Recommendation Report for Planning Permission**REF NO:** AB/88/17/PL**LOCATION:** 25 Tarrant Street
Arundel**PROPOSAL:** Change of use (first & second floor only) from Residential (C3 dwellinghouses) to Bed & Breakfast (C1 Hotels). This application affects the character & appearance of Arundel Conservation Area**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal would provide 3 bedrooms for bed and breakfast use. Two at first floor and one in the roof area.
SITE AREA	203 sq m
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	3 storey end of terrace property. Ground floor is in use as a restaurant. upper floors are in residential use. Flint and painted rendered elevations.
CHARACTER OF LOCALITY	Town centre location of mixed character with mainly retail uses at ground floor and residential/commercial to upper floors.

RELEVANT SITE HISTORY

AB/1/85	Change of use and conversion to restaurant with existing living accommodation above	ApproveConditionally 13-02-1985
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REPRESENTATIONS**Representations received:**

Arundel Town Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning
Environmental Health
Conservation Officer

Consultations responses received:

Conservation Officer - The building is designated as a Building of Special Character and it fronts the

south-eastern side of Tarrant Road, in the Arundel conservation area. The proposed change of use of the upper floors causes no harm to the significance of the host building or the surrounding conservation area, and there is no objection in terms of Local Plan 2003 Policy Area 2, and Local Plan 2014 Policies HER DM1 and 3.

County Highways - No Objection. The bed and breakfast is located on a busy street with enforceable parking restrictions. No parking is allocated for the use and therefore any guests travelling to Arundel by car would have to park in the car parks in and around the town. Arundel has its own train station and regular bus services which make the site very sustainable.

During the renovations should there be any need for the use of a skip a licence can be obtained as

per the suggested informative.

Comments on Consultation responses:

- comments noted. Requested informative.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Conservation Area
Arundel Shopping Frontage

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN7</u> <u>AREA2</u> <u>AREA20</u> <u>DEV34</u>	The Form of New Development Conservation Areas Arundel Shopping Frontage Tourist Accommodation and Attractions
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[Publication Version of the Local Plan \(October 2014\):](#)

Arundel Neighbourhood Plan 2014 POLICY 14: Arundel Neighbourhood Plan 2014 POLICY 15:	TOU DM1 Tourism Related Development Arundel Town Centre Business Uses
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PLANNING POLICY GUIDANCE

NPPF NPPG	National Planning Policy Framework National Planning Practice Guidance
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SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council
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POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

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

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policy 14 'Arundel Town Centre ' of Arundel Neighbourhood Plan is considered relevant.

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.

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.

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

The proposed conversion of the part of the premises to tourist accommodation in the form of bed and breakfast would not be inappropriate in this part of the town centre. Retention of the restaurant use at ground floor is in compliance with policy AREA20 of Arun District Local Plan and policy RETSP1 of the Emerging Local Plan. The additional bed and breakfast accommodation would encourage visitors to the town centre and would add to the vitality of the town centre and assist in the provision of a mixture of accommodation by visitors and tourists to the Town. The proposal would not result in the loss of a ground floor retail use in compliance with Policy 14 Arundel Town Centre of Arundel Neighbourhood Plan. The proposal would be compliant with policy DEV34 of Arun District Local Plan and policy TOU DM1 of the Emerging Local Plan in that tourist accommodation in this part of the town would be appropriate to the character of the area. The premises are currently used for residential use and the level of activity and occupancy rates would be likely to be reduced.

No external alterations are proposed to the building and the proposed change of use would preserve and enhance the character and appearance of the Conservation Area by increasing the range of accommodation within the area. The proposal therefore accords with policy AREA2 of Arun District Local Plan and policy HERDM3 of the Emerging Local Plan.

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

HUMAN RIGHTS ACT

Human Rights Act:

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

Convention on Human Rights.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Site Plans 171086/03, Plans - Existing 171086/01 and Plans - Proposed 171086/02.

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.

- 3 **INFORMATIVE: Temporary Works Required During Construction**
The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

- 4 **INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning**

(Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.