

Recommendation Report for Planning Permission

REF NO: AL/53/20/PL

LOCATION: Aldingbourne Post Office
Westgate Street
Aldingbourne
PO20 3QL

PROPOSAL: Change of use from residential (C3) to shop (A1), new roof & new shop front. This application is in CIL Zone 2 (Zero Rated) as 'all other development'.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Change of use of the existing residential unit (C3) to the rear of the proposal property (96.5square metres) into a shop (A1), enlarging so an existing retail/post office area. Proposal involves a new roof & new shop front and other external and internal changes. A pair of bay windows /doors and small windows would be bricked up and new door openings are proposed. All existing windows on the northern elevation would be bricked up. A new shop front with roller shutter over, new auto-entrance door, new signage fascia and a new ATM are proposed. Signage fascia and an ATM are not subjects of this application. The existing roof would be raised by 1m to the front and 0.8m to the rear with a new 0.3m high parapet wall.
SITE AREA	0.06 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Slightly sloping up.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Supporting brick wall with a vertical board fencing on the top on the southern boundary, dwarf brick wall to the rear and on the both sides of front parking area.
SITE CHARACTERISTICS	The site is comprised of a single storey building constructed mainly of red brick characterized by a combination of a shallow pitched and flat roof with a large hard surfaced parking area in front of the main entrance and grassed area on the southern side.
CHARACTER OF LOCALITY	The proposal site is located within a dominant corner position on the junction of Westergate Street and Hook Lane within predominantly residential area with a rail track to the south.

RELEVANT SITE HISTORY

AL/4/15/PL	Change of use of ancillary residential accommodation to	ApproveConditionally
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REPRESENTATIONS

Aldingbourne Parish Council: No response.

One letter of support has been received:

- It would be good to get a shop within walking distance of many local residents up and running again.
- Conversion to an expanded shop would mean less cars parked overnight on Hook Lane

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - Proposal would not have 'severe' impact on operation of Highway network and is not contrary to NPPF (para 109), no transport grounds to resist the proposal subject to conditions.

ECONOMIC DEVELOPMENT - has no comments on this application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Class A Road

Class C Road

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
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

[Aldingbourne Neighbourhood Plan 2016 POLICY EE1](#)

Supporting existing employment and retail

Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY GA3	Parking and new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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 Neighbourhood Development Plan

Aldingbourne has a "made" Neighbourhood Plan and the relevant policies have been taken into account.

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 not considered to conflict with the relevant Development Plan policies in that it would not have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties, and it would not have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS**PRINCIPLE:**

The site is in the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 and policy EH1 of the Aldingbourne Neighbourhood Development Plan provided it accords with other policies of the Local Plan covering such issues as the change of use, visual/residential amenity, highway safety and parking.

Regard should be had to policy SD SP1 of the Arun Local Plan which states: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework." The site is in a sustainable village and suburban location in easy walking & cycling distance of a range of facilities and services including bus stops.

Para 118 (d) of the National Planning Policy Framework (NPPF) states "Planning policies and decisions should: promote and support the development of under-utilised land and buildings ...". Para 85 states: "Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation."

Para 123 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In particular, higher densities will be encouraged for city/town centres and other locations that are well served by public transport. The Council cannot currently demonstrate an NPPF compliant 5 year supply of housing land and therefore it is important to boost housing numbers in the district.

The proposal accords with policies SD SP1 and SD SP2 of the Arun Local Plan and policy EH1 of the Aldingbourne Neighbourhood Development Plan.

CHANGE OF USE FROM C3:

Policy EE1 of the Aldingbourne Neighbourhood Development Plan is supporting an existing employment and retail. Development proposals to upgrade or extend existing employment sites and retail units will be supported provided that the impact on the amenities of surrounding properties is acceptable and subject to the other policies in this Plan.

Criterion EE1.2 states that the village shops in Aldingbourne are an essential part of the fabric of life for many residents with 22% of respondents state that they used them daily.

The proposal site was used until February 2020 as a part residential and part retail/post office until February 2020 (employing 2 people on full-time bases and 2 people on part time bases) when the shop was closed.

The proposal is for a change of use of the rear part of the building (96.5 square metres of internal floor space) from residential use to a retail resulting in a total gross retail floor space of 295.3 square metres. The proposed re-opening and an enlargement of local shop would bring vitality and vibrancy to these places, adding to the range and accessibility of goods and would create further 2 full-time and 2 part-time employment opportunities.

The proposed development would result in a loss of 1 bed residential unit whilst the revisions to the NPPF are afforded weight as a material consideration in the absence of the Council being able to demonstrate a 5 year Housing Land Supply (as mentioned in a previous section). However, 1 bed unit make a very small contribution toward a general need for housing, therefore these material considerations, for the reasons set out above, are not considered to be of sufficient weight to outweigh the benefits identified.

It is considered that the proposal complies with policy EE1 of the Aldingbourne Neighbourhood Development Plan.

CHARACTER & DESIGN:

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. D DM1 requires new housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality.

ALP policy D SP1 "Design" requires development to make efficient use of land and reflect local character. Arun Design Guide Supplementary Planning Document (SPD), a material consideration in the determination of applications, was published under consultation until 21 February 2020. Part G.O1 which deals with Neighbourhood, Centres and Local Facilities stresses that the accessibility of facilities and services is fundamental to the proper functioning of a neighbourhood.

The area is predominantly residential in character. The proposal seeks to enlarge an existing retail area by a conversion of an existing residential unit. There are no significant changes proposed with regard to the external appearance of the property therefore it is not considered that the proposed change will have an adverse effect on the character of the street scene and generally on the character of surrounded area.

Therefore the development would not adversely affect the street scene since the proposal property was used previously as a shop/post office with a shopfront facing to Westergate Street with a similar features as proposed. Marginal raise of the proposed flat roof would be beneficial since the proposal property is surrounded by two storey buildings. Proposed development complies with ALP policies D DM1 and D SP1.

RESIDENTIAL AMENITY INC NOISE POLLUTION:

The Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity". Para 127 of the NPPF which states that developments should provide a high standard of residential amenity for existing and future users.

The proposed development is siting comfortably within an uphill position maintaining a reasonable distance from the surrounded residential properties. Whilst proposal is for an enlargement of an existing retail area it is not considered that the proposed development would have a larger impact on surrounding residential area than that previous (A1). No new windows are proposed on the northern elevation, the existing would be bricked up.

Therefore the development is not considered to have unacceptable impacts on the residential amenity of any neighbouring properties and would comply with policies D DM1 and QE DM1.

HIGHWAYS & PARKING:

Arun Local Plan policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

Policy T DM1 requires that development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Parking Standards Supplementary Planning Document, January 2020 states in Principle 1:

2.12 Parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety and avoiding increased on-street parking demand.

The provided plan indicates that the applicant proposes to formalise the parking arrangements on site to provide 5 parking spaces, including one disabled parking bay. Each space appears to meet minimum specifications of 2.4 x 4.8m as set out in Manual for Streets, plus additional space for the disabled bay.

WSCC Highways not considered that the proposed additional floor space would result in a severe intensification of use of the site or result in any capacity issues on the public highway.

It is considered the proposal accords with policy T SP1 of the Arun Local Plan, Arun Parking Standards (SPD) and NPPF guidance.

SUMMARY:

There is no in principle objection to enlargement of an existing retail use on this site in the built up area and the proposal complies with development control criteria concerning highway safety, change of use, character and residential amenity. It is considered the application is acceptable in all regards and should be approved subject to conditions.

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.

CIL DETAILS

This application is not CIL Liable as zero rated, other development.

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:

Dwg.No. Idc-3050-03 PL Proposed Elevations and Floor Plan, Site Plan and Location Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.
- 4 The use hereby permitted shall not commence until provision has been made within and in the vicinity of the site for the disposal of litter resulting from the use, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Arun Local Plan policies D DM1 and ENV SP1.
- 5 No part of the development shall be first used until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking space for the use in accordance with policy T DM2 of Arun Local Plan
- 6 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved, including details of

physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 7 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

- 8 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.