

Recommendation Report for

REF NO: AW/215/21/PD

LOCATION: 68-70
Rose Green Road
Aldwick
PO21 3EQ

PROPOSAL: Prior notification under Schedule 2 Part 7 Class C of the Town & Country (General Permitted Development (England) Order for the installation of a click and collect locker facility to the side of the shop

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is a prior notification under the Town and Country Planning Act (General Permitted Development) Order 2015 Part 7 Class C to determine whether the Local Planning Authority have any objections with regard to siting and design of a click and collect facility.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a brick wall along the western elevation.
SITE CHARACTERISTICS	The site is occupied by a detached property which forms a Co-op.
CHARACTER OF LOCALITY	The area is predominantly residential.
None.	

REPRESENTATIONS

No response received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Development consisting of the erection or construction of a collection facility within the curtilage of a shop.

Development not permitted

C.1 Development is not permitted by Class C if

- (a) the development would result in more than 1 collection facility within the curtilage of a shop;
- (b) the gross floor space of the building or structure would exceed 20 square metres;
- (c) the height of the building or structure would exceed 4 metres;
- (d) any part of the development would be within 2 metres of any boundary of the curtilage;
- (e) any part of the development would be between a shop front and a highway where the distance between the shop front and the boundary of the curtilage of the premises is less than 5 metres; or
- (f) any part of the development would be
 - (i) on article 2(3) land;
 - (ii) on a site of special scientific interest; or
 - (iii) within the curtilage of a listed building or a scheduled monument

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 comprises a supermarket and its curtilage which includes car parking and landscaping. The principle of retail development is established and the provision of a click and collect facility is permitted subject to a Prior Notification Under Part 7 C of the Town and Country Planning (General Permitted Development) Order 2015 for the consideration of siting, design and external appearance and compliance with the conditions of the Order.

SITING AND DESIGN AMENITY:

The proposal is for a collection facility which is small in size and 2.07m in height.

The locker is located to the western side of the building. This is set back a sufficient distance from the street scene and therefore is not within 5m of a highway. The structure size is modest and being set back a considerable distance from the site frontage will not appear as an unduly dominant feature.

CONCLUSION:

Having had regard to the NPPF the facility is in an appropriate location next to the existing building, set back from the site frontage and its design and external appearance are considered appropriate for its location.

The proposal complies with relevant sections of Schedule 2 Part 7 Class C of the GDPO

It is recommended that the Local Planning Authority raises no objection.

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

NO OBJECTION

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| 1 | For the avoidance of doubt the approved details are the Location Plan - 0004A, Proposed Floor/Layout Plan - 0001G. |
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