

Recommendation Report for Planning Permission

REF NO: BE/21/19/PL

LOCATION: Arun Retail Park
Shripney Road
Bognor Regis
PO22 9NF

PROPOSAL: External alterations to the front elevations of the retail terrace & minor alterations to the site layout

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to provide external alterations to the front facing (north east) elevation of the retail premises. This involves a new shopfront with the installation of glazing and doors, replacement of existing cladding, new brick piers and a rearrangement to parking which involves the loss of 1 No. parking space - however there will be two additional parking spaces for people with disabilities..
TOPOGRAPHY	Predominantly flat.
TREES	None of affected by the proposed development.
BOUNDARY TREATMENT	Shripney Road runs along the north east boundary with 1.8m fencing along the north west boundary with housing behind. Riverside complex is situated to the rear of site.
SITE CHARACTERISTICS	The site is occupied by a large retail premise comprising of 5 units. Pizza Hut, Costa and Burger King are also located within the site however are situated in separate premises to the north of the site. There is car parking to the front and a yard area for delivery vehicles to the rear.
CHARACTER OF LOCALITY	The area surrounding the site on Shripney Road has a primarily commercial character comprising a number of retail parks and A1 superstores, as well as a number of industrial estates. To the north-west and south-west of the site the adjoining uses comprise caravan and park home estates.

RELEVANT SITE HISTORY

BE/168/16/A	1No. internally illuminated replacement totem entrance sign, fixed to the existing steel frame.	ApproveConditionally 16-01-17
BE/143/16/T	Group 1 adjacent to Pizza Hut - remove 2No. Ash trees to ground level. Raise crown to the various species of	Refused 01-12-16

retained trees by 3.5m. Group 2/2B adjacent to Burger King - 10No. Ash trees to be removed to ground level. Raise crown to various species of retained trees to 3.5m. T1-T7 Various tree surgery.

BE/70/16/DOC	Application for approval of matters reserved by condition imposed under BE/150/15/PL relating to condition No. 4 - Construction Management Plan	DOC Approved 19-05-16
BE/103/15/A	3 No. internally illuminated fascia signs on front & side elevations.	ApproveConditionally 10-09-15
BE/83/15/DOC	Application for approval of matters reserved by condition imposed under BE/107/14/PL relating to conditions 3, 5 & 6 for schedule of materials & samples, landscape scheme & surface water drainage.	DOC Approved 05-06-15
BE/36/15/A	2 no. internally illuminated fascia signs to front & rear elevations, 1 no. non-illuminated window sign to front elevation & 1 no. internally illuminated totem sign to front of site.	ApproveConditionally 27-04-15
BE/107/14/PL	Installation of new pod unit (A3 Restaurants & Cafes) & reconfiguration of the car park & other associated works.	ApproveConditionally 28-10-14
BE/102/14/PL	Installation of roof plant consisting of 3 No condensing units, 1 No condenser, 1 No MK2 hybrid pumped CO2 and 1 No backup generator.	ApproveConditionally 17-10-14
BE/103/14/A	2 No internally illuminated fascia signs at front and rear elevations, 1 No internally illuminated totem sign at front of site and 3 No vinyl trolley bay signs.	ApproveConditionally 13-10-14
PAA/99/13/	Facade works to the proposed Next and M&S units	Refuse Pre App 03-10-13
BE/68/05/A	1No freestanding totem sign internally illuminated	ApproveConditionally

13-09-05

LU/241/02/	Creation of a secure service yard	ApproveConditionally 18-10-02
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BE/92/90/A	Two non illuminated hoarding signs and one non illuminated painted sign	Refused 23-07-90 Appeal: Dismissed 27-03-91
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Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council provided no objection to the application.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Environmental Health

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Environmental Health - Had no comment to make on the application.

Economic Regeneration - Had no comment to make on the application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICES

[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)

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development

[Bersted Neighbourhood Plan 2014 Policy EE1](#)

Business expansion

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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

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.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area. The loss of one parking space would not cause harm to highway safety.

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

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Bersted has a 'made' Neighbourhood Plan with policy EE1 of relevance to the application. The proposal

is considered to comply with this policy in such that it seeks to upgrade the existing site.

DESIGN AND VISUAL AMENITY

The proposal seeks alterations to the front facing elevation of the retail unit.

The existing signage to units C1,C2 and unit A and B will be replaced however the exact design of the signs will be subject to separate applications. An application under the advert regulations may be required.

To unit C1 and C2 there will be a new shopfront involving the installation of glazing. This will enhance the appearance of the shopfront and will be in keeping with units at D1 and D2 which already displays this facade. This will ensure the design is in keeping with the surrounding units which currently have a more modern appearance. There will also be new brick piers constructed which will match that which currently exists and will ensure the front elevation appears well integrated with the existing features.

New cladding will be installed across the front elevation of units A and B however this replaces the existing material and as a result of its similar design and colour it is not considered to adversely impact the appearance of the unit.

To unit A and B the existing entrance will also be redesigned with a new entrance feature proposed. This will consist of a slight extension to the lobby entrance with the roof increasing in width by approximately 3m and an increase in height. As a result of the extension the entrance doors will appear more central and therefore appear better integrated within the entrance feature when viewed from the front. The colour to the proposed entrance feature will also alter from grey to orange cladding. Whilst the use of orange will be more prominent along the front elevation this is not considered to adversely alter the appearance of the building and is also not considered out of character with the site consisting of a variety of colours and designs.

To the south east and north west elevation there will again be replacement cladding and refurbishment of existing doors to match that of the front facing elevation.

The existing site layout will also alter slightly. Car parking in front of unit A and B will be reconfigured resulting in the loss of 1No. car parking space. Two new reconfigured spaces will be allocated as disabled bays. Bollards will also be installed in front of new shopfronts which again is not considered adversely impact the overall appearance of the site.

Much of the proposal replaces and upgrades existing materials and signage and therefore is considered to enhance the overall appearance of the retail unit. The alterations are not considered to adversely impact the appearance or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal largely consists of the replacement of external materials and doors and as such is not considered to result in any overbearing or overshadowing impacts upon neighbouring amenity.

The proposed entrance feature will increase in height and width slightly however with adequate distance retained to all boundaries of the site the entrance is not considered to appear overbearing.

As a result of the modest alterations the proposal is not deemed to adversely harm neighbouring amenity and accord with DDM1 and DDM4 of the Arun Local Plan.

PARKING

Whilst the proposal will result in the loss of 1No. parking space this is not considered to harm the existing

layout of the car park with car parking capacity largely unaltered. The development is therefore not considered to give rise to any adverse parking or highway issues.

SUMMARY

The proposed development is deemed to accord with relevant development policies and as such is 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 positive impact on the protected characteristics - disability.

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 Block Plan as Proposed - URB AR 08 00 03 D01
 - Site Location Plan - URB AR 08 00 01 D01
 - Proposed Elevations - URB AR 08 70 02 D01
 - Typical Sections as Proposed - URB AR 02 80 02 D00

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 **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.