

PLANNING APPLICATION REPORT**REF NO:** BR/294/11/**LOCATION:** 6-8 London Road
Bognor Regis**PROPOSAL:** Internal alterations and change of use from A1 (shop) to A3 (coffee shop) with ancillary A1 to form coffee shop on two floors.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks consent for internal alterations and change of use from A1 (shop) to A3 (coffee shop) with ancillary A1 to form coffee shop on two floors.
SITE AREA	Approximately 143 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None
BOUNDARY TREATMENT	None
SITE CHARACTERISTICS	Vacant unit located within the Primary Retail Frontage of Bognor Regis Town Centre. Unit is modern in character and design with a glazed facade at ground floor level fronting the pedestrian shopping precinct and two bay windows at first floor level. The building is constructed from brown brick and has a mansard roof.
CHARACTER OF LOCALITY	Primary shopping frontage within Bognor Regis Town Centre. London Road is pedestrianised and is characterised by a mixture of A1 retail units and coffee shops (A3).

RELEVANT SITE HISTORY

BR/158/01/	Replacement shop front.	Approve Cond 13-07-2001
BR/157/01/A	Internally illuminated fascia sign and projecting sign.	Approve Cond 18-07-2001
BR/97/02/A	2no. internally illuminated fascia signs and 1no. projecting sign	Apprvd/Cond ADV 06-06-2002

BR/96/02/	Installation of new shopfront and shop re-fit	Approve Cond 07-06-2002
BR/172/02/	Change of use of highway land to provide outside seating area	Approve Cond 23-08-2002
BR/34/57	Pre-fab store shed	Approve 19-03-1957
BR/34/57/B	Use of back room of confectioners shop for light refreshments	Permit'd Devel 06-10-1961
BR/34/57/C	Extension to store	Approve Cond 02-12-1964
BR/354/78	Change of use from boutique to building society branch offices with manager's office over	Refused 21-06-1978
BR/164/80	New building for retail shop	Approve Cond 30-04-1980
BR/515/80/ADV	One internally illuminated fascia sign	Apprvd/Cond ADV 23-07-1980

REPRESENTATIONS**Representations received:**

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Environmental Health

Consultations responses received:

Environmental Health Officer: Note on the plans that the disabled toilet is very close to the serving area and the kitchen door with no intervening lobby. I would consider relocation of the toilet as this area is a potential busy traffic area for customers and staff, particularly from the kitchen and customers queuing for the disabled toilet. It also opens out into the area where food is handled. In addition, it is not clear from the plans where the food is to be stored because with the original plans there was a large storage room on the first floor.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Class C Road

Primary Shopping Frontage

No public sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	AREA19	Primary Shopping Frontages
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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.

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 application seeks consent for a change of use of the existing retail unit (A1) to provide a coffee shop (A3) with ancillary retail. The site comprises the ground and first floor level and has a total floor area of 264 sq metres. The existing unit is currently vacant.

The proposed floor plans indicate the provision of serving area/counter and cafe with ancillary retail towards the front of the unit at ground floor level and kitchen area at the rear, and cafe at first floor level for approximately 36 covers.

The unit is located within the built-up area boundary and the Primary Shopping Frontage of Bognor Regis Town Centre. As such, the proposal is to be judged against policy AREA19. Proposals for food and drink premises within the Primary Shopping Frontage will be permitted, provided the following criteria is met:-

i) The proposal would not create a concentration of non-retail uses to the detriment of the vitality of the town centre. This is defined as two or more adjacent units. The unit is located adjacent to three A1 retail units to the south and four A1 retail units to the north. As such, the proposed

change of use would not result in an over-concentration of non-retail uses, to the detriment of the vitality of the Primary Shopping Frontage.

ii) Provision is made for a window display appropriate to the shop front, which is in keeping with the character of the shopping area. The unit is modern in character and design, and is glazed at ground floor level with bay windows above. The existing shop frontage is to be retained and is in keeping with the character of the shopping area.

iii) There is no detrimental effect on the character or amenities of the area through smell, litter or noise. The foods to be sold for consumption on and off the premises are to be prepared in the kitchen area at the rear of unit and are to be heated. There will be no cooking or frying on the premises. As such, there is no requirement for an integrated extraction ventilation system. Provision is made for the storage of refuse and recycling in an external corridor at the side of the unit. No objection is raised to the proposed opening hours (7.30-18.00 Monday to Saturday; 8.30-17.00 Sundays and Bank Holidays).

The layout of the proposed unit is amended to reflect comments by Environmental Health Officers regarding the location of the disabled toilet, with the addition of a lobby between the kitchen and the disabled toilet, and the provision of a food storage area.

In summary, there is no objection to the principle of a change of use from A1 to A3 and ancillary retail. The unit is centrally located within the Primary Shopping Frontage of Bognor Regis Town Centre and is accessible by a range of sustainable modes of transport. The proposal will bring a vacant unit back into use with potential to create employment opportunities for 10 part-time and 8 full-time staff. The proposal will not result in an over-concentration of non-retail units and is in keeping with the character of the shopping area.

It is therefore recommended that the application is approved, subject to the following conditions.

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 Plan 1:500 and Location Plan 1:1250, Existing Ground Floor Plan Rev A, Existing First Floor Plan Rev A, received on 24 November 2011, Proposed Ground Floor Plan Rev D, Proposed First Floor Plan Rev C, received on 9 January 2012.

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 The premises shall not be open for trade or business except between the hours of 07.30-18.00 Mondays-Saturdays and 08.30-17.00 Sundays and Bank Holidays.

Reason: To safeguard the amenities of the neighbouring properties in accordance with policies GEN7 and AREA19 of the Arun District Local Plan.

- 4 The use hereby permitted shall not commence until provision is made within the site for the storage of waste, which shall be retained in perpetuity.

Reason: In the interests of amenity of occupiers of nearby properties in accordance with policies GEN7 and AREA19 of the Arun District Local Plan.

- 5 Notwithstanding the provisions of any Town & Country Planning General Development Order or Use Classes Order, the use hereby permitted shall be restricted to a coffee shop with ancillary retail and there shall be no cooking or frying on the premises.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with Arun District Local Plan policy GEN7.

- 6 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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

LOCAL PLAN: GEN7, GEN2, AREA19

NATIONAL POLICIES: PPS1, PPS4

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.