

**Recommendation Report for Planning Permission**

**REF NO:** LU/118/14/PL

**LOCATION:** Former Bodyshop Offices  
Courtwick Lane  
Littlehampton

**PROPOSAL:** Change of use & extension of part of former office building to a G P Practice with associated parking, landscaping & highway works.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

The application seeks planning permission to convert part of the former Bodyshop offices in Courtwick Lane to create a new GP surgery with the addition of a new entrance lobby and staircase, a dedicated car park and new access from Courtwick Lane.

The proposed GP surgery will comprise two storeys of accommodation. On the ground floor Arun Medical Group will have their clinical space and patient waiting areas, whilst the first floor will be split between support functions for Arun Medical Group and additional clinical space for use by visiting clinics and community services. The car park will have space for 39 parking spaces (of which 3 will be disabled spaces) along with an ambulance space and 10 cycle spaces.

The new facility will have 1,000 sqm of accommodation which is sufficient to cater for the existing 7,000 patients on the practice list and new patients expected to be generated by the new developments at Courtwick Lane and North Littlehampton with capacity for additional patients.

The remainder of the former Bodyshop Offices will continue to function as a self-contained commercial building, with its own access and car park and will be available for use as an Enterprise Hub under the terms of the Morrison's planning permission.

**SITE AREA**

0.25 ha

**RESIDENTIAL DEVELOPMENT DENSITY (NET)** n/a

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TOPOGRAPHY            | Predominantly flat                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| TREES                 | Many other trees on boundary to Courtwick Lane and verges between site and Lyminster Lane, together with the site and Hawthorn Road.                                                                                                                                                                                                                                                                                                                                 |
| BOUNDARY TREATMENT    | North and eastern boundaries of the site are a mix of trees and mature hedges. Southern and western boundaries have no distinguishing features and are marked by the limit of the building itself.                                                                                                                                                                                                                                                                   |
| SITE CHARACTERISTICS  | The site is situated to the west of Lyminster Road and south of Courtwick Lane and it currently comprises a portion of the vacant enterprise hub building, which was delivered as part of the Morrison's Superstore development south east of the site.                                                                                                                                                                                                              |
| CHARACTER OF LOCALITY | The surrounding area is characterised by a mix of uses including predominantly residential development to the north and east of the site. Immediately west of the application site is a mix of business, commercial and industrial uses. Immediately to the south of the site is the car park and petrol filling station associated with the Morrison's supermarket. There is some existing tree and scrub planting along the north and east boundaries of the site. |

#### RELEVANT SITE HISTORY

|               |                                                                                                                                                                                                                                                                                                                                                             |                                    |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| LU/30/12/     | Portakabin on the car park to the rear of offices with 17.18m <sup>2</sup> floor space and 2.3m in height. The area will be used as a staff break room.                                                                                                                                                                                                     | ApproveConditionally<br>16-04-2012 |
| LU/271/11/    | Erection of class A1 (retail) foodstore with associated servicing, car & cycle parking off Hawthorn Road, hard & soft landscaping, petrol filling station with associated kiosk & external works to existing office building to create an Enterprise Hub with new point of access off Courtwick Lane & associated landscape works & cycle parking provision | Approved Cond + S106<br>24-04-2012 |
| LU/156/13/DOC | Application for approval of details reserved by condition 3 following a grant of planning permission LU/271/11/ relating to Enterprise                                                                                                                                                                                                                      | DOC Refused<br>26-07-2013          |

Hub element of the scheme.

No comments

## REPRESENTATIONS

### Representations received:

Littlehampton Town Council

### OBJECT

The Town Council's Planning and Transportation Committee considered the application. They identified the following points of concern:

- 1) Change of use proposal comes shortly after completion and Town Council would be interested to know if mitigation is being considered in relation to the loss of employment units.
- 2) Enterprise Hub had a single point of access located at a position that would have reduced the impact of the traffic generated at the site on residential housing opposite. Town Council objects to a second entrance.
- 3) Bus stops were proposed along the north and south side of Courtwick Lane as part of a new bus service to the Courtwick Lane development to the west.
- 4) The allocation of parking is disproportionate between the enterprise hub and medical facility. More parking should be provided for the Enterprise Hub with less provided for the medical facility.
- 5) Strongly oppose an further change of use for the site in particular to retail.
- 6) Consideration should be given to night time lighting arrangements to minimise impact on adjoining residences.
- 7) Consideration should be given for after hours security.
- 8) Provision should be made for mobility scooters to park at the site.

Following correspondence from the applicant a further letter was received from the Town Council. They reiterated the following issues:

- a) The inclusion of a second entrance from Courtwick Lane remains unacceptable and contradicts the original negotiations for the site. Local residents had raised many concerns regarding access points and had lobbied hard to achieve the single entrance option.
- b) The location of bus stops for new bus service must be given consideration at this stage of the planning process.
- c) The limited proportion of car park spaces allocated to the Enterprise Hub is unacceptable and the introduction of additional spaces within the Morrison's site is inappropriate - remote car parking cannot be an attractive option for any potential new business.

### 17 LETTERS OF SUPPORT:

- Current premises on East Street are inadequate. New premises will be modern and fit for purpose.
- Proposal will strengthen primary care in Littlehampton and allow the practice to grow and develop.
- Will address the growing demand for care in North Littlehampton.
- Provides opportunity for Lawns Surgery in Rustington to relocate to East Preston Surgery.
- Current premises does not have enough parking

- The site is accessible by bus, the main A259 and there is good parking provision.

**Comments on Representations received:**

The comments from the Town Council are noted and have been followed up by the Case Officer in the management of the application.

The issue surrounding the parking and second entrance are of most significance. On parking this has been assessed by the County Council and no objection has been raised. They consider that there is sufficient capacity on the site and in the adjacent Morrison's car park (which is unrestricted) to cater for the development.

The Town Council's point regarding the impact of a second entrance point on residential amenity are noted. Previous negotiations took place under different circumstance and during the consideration of a different application. Each application must be assessed on its individual merits and significant and demonstrable harm is required by the NPPF. The site entrance proposed has been assessed on its own merits by the case officer, and by the County Highways Officer.

**CONSULTATIONS**

Economic Regeneration  
WSCC Strategic Planning  
Environmental Health  
Parks and Landscapes  
Arboriculturist

**Consultations responses received:**

WEST SUSSEX COUNTY COUNCIL HIGHWAYS: No Objection

- The Applicant has identified that the proposal will lead to a minor intensification in use; during the AM and PM peak hours it is anticipated that the development could result in an additional 60 movements.
- However the actual traffic impact is likely to be lower than estimated by the Applicant.
- Development is unlikely to result in a material capacity impact upon the operation of the A259/A284 junction.
- It should be noted that WSCC are progressing mitigation to junctions across the A259 as identified through the A259 Route Study to alleviate existing capacity concerns.
- The proposed site is located at the edge of the town. Evidence provided by the Applicant demonstrates that 600 of the registered patients live within an acceptable (800m) walking distance of the proposed location.
- 5,560 registered patients live within a 400m walk distance from a bus stop on routes that would serve the proposed medical centre.
- Pedestrian access to the site is achieved to the south via a new pedestrian link into the site, or by using the existing footway provision alongside the A284 to the north of the application site. It is noted that footways on the southern side of the Courtwick Lane carriageway are narrow and the opportunity should be taken to widen these to a width of 2m across the site frontage to provide enhanced pedestrian facilities for all users of the site. In addition, tactile paving and dropped kerbs should be provided at the site access.
- Bus stops are located to the north of the site along the A284; to the east of the carriageway the stop has a bus shelter whereas to the west no shelter is provided. Should the LPA be minded to permit the application then consideration should be given to requesting that the introduction of a shelter to the west of the carriageway be considered and consulted upon with the relevant parties.
- Dropped kerb/tactile paving should also be introduced by the Applicant at the junction of

Courtwick Lane/A284 in order to facilitate pedestrian access to the site, by bus, by visually or mobility impaired patients.

- The provision of a bus service along Courtwick Lane is being explored by the LPA and which the LHA supports. Should the LPA be minded to permit the development there would be benefit in a parcel of land along the site frontage being secured for the provision of a bus stop with shelter, which would provide enhanced bus access to and from the site.

- Vehicular access to the site takes the form of a simple priority junction with visibility splays of at least 2.4m x 43 being achievable, in accordance with Manual for Streets guidance.

- Works would need to be undertaken through a Section 278 Agreement with the County Council. It is recommended that the works mentioned above (widening of the footway and dropped kerbs/tactile paving) is incorporated into this work. As part of the detailed design, a Road Safety Audit Stages 1 and 2 should be undertaken by the Design Team with all any issues to be addressed accordingly.

- It is noted that a Traffic Regulation Order is proposed in order to prevent obstruction of the Courtwick Lane/A284 junction. No informal consultation has been undertaken to determine whether the proposals are likely to progress. The Applicant would be expected to fund the advertisement, promotion and implementation of the TRO and the LHA request that the Applicant enters into a unilateral agreement to the value of £5,500 for the work to be undertaken.

- Applicant has identified that the both the existing and future parking capacity will be constrained. An accumulation assessment of the likely impact indicates that up to 39 spaces will be required to serve the medical centre and this has been used to establish the parking provision.

- While the existing Enterprise Hub is not currently occupied the Applicant has assessed the likely parking requirement of the site. The assessment suggests that the existing site generates the demand for up to 106 spaces of parking whereas the site benefits from only 92 spaces, a deficit of 14%. As part of the revised site a parking requirement of up to 76 spaces is required for the Enterprise Hub whereas only 47 will remain, equating to a deficit of 39%.

- It is likely that the development will result in an element of on-street parking when fully occupied.

- Due to the lack of restrictions this is likely to occur along Courtwick Lane.

- Applicant proposed TRO which may need to be extended in order to restrict parking occurring along Courtwick Lane as the presence of on-street parking may restrict free-flow of traffic along the route.

- The Applicant has also identified that traffic generation and parking demand could be reduced by the introduction of a comprehensive Travel Plan. This should be secured via condition.

ARUN DISTRICT COUNCIL ARBORICULTURAL OFFICER- Awaited

ARUN DISTRICT COUNCIL LANDSCAPES OFFICER- Awaited

ARUN DISTRICT COUNCIL ECONOMIC DEVELOPMENT - OBJECT

- Economic Development would not be able to support this application in its current form. This objection is based on the loss of commercial space and the lack of mitigation for this.

- The applicant's Social and Economic Benefits Statement comments on the potential number of jobs that could be lost and draws the conclusion that "the proposed healthcare facility is at least as conducive to job creation as the equivalent floor space in the Enterprise Hub".

- The accepted level of job creation within the current planning permission (LU/271/11) is 270 jobs based on 3,634 square feet - the entire Hub. This works out at 13.45 sq.m. per job. Using

the same calculation, the loss of 954 sq. m. to a GP surgery amounts to the loss of 70 jobs. This leaves a balance of 200 jobs.

- The application states that the GP surgery has the potential to employ 40 staff with 20 of these being relocated from elsewhere in the district. The application also makes mention of the re-letting of the East Street premises as a replacement for jobs. However, since we cannot be certain when or if that will happen we have not been able to take account of it in our calculations.

- The net loss of jobs would be 110. Taking an average salary of £25,000 per annum that is a loss of some £2,750,000 per annum to the local economy.

- We cannot accept that "the proposed healthcare facility is at least as conducive to job creation as the equivalent floor space in the Enterprise Hub". In our opinion this application presents a significant and demonstrable harm to the local economy through loss of suitable available employment space.

- It is disappointing that we are losing around a third of what we thought was going to be an Enterprise Hub. This type of space is in short supply locally and we expect there to be high demand from businesses that have the potential to grow and provide continuous growth in the economy. Whilst the Health Centre will provide an excellent new provision for the community, it does not produce the same economic growth opportunities. We would be keen to talk with the applicants about ways in which this loss of high quality employment space can be mitigated.

#### Comments on Consultation responses:

The comments from the Council's Economic Development Department are noted. Your officer has identified three positive benefits from the scheme which will be delivered by means of a S106 agreement and planning condition. These are detailed in the conclusions section below.

#### POLICY CONTEXT

Designation applicable to site:

Within Built-up Area

Class A Road

#### DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN12](#)  
[GEN2](#)  
[GEN32](#)  
[GEN33](#)  
[GEN6](#)  
[GEN7](#)  
[GEN8](#)

Parking in New Development  
 Built-up Area Boundary  
 Noise Pollution  
 Light Pollution  
 Amount of New Commercial Development  
 The Form of New Development  
 Development and the Provision of  
 Infrastructure

[Publication Version of the Local  
 Plan \(October 2014\):](#)

D DM1 Aspects of Form and Quality  
 D DM4 Extensions & Alterations to  
 Existing Buildings  
 D SP1 Design  
 QE DM1 Noise Pollution  
 QE DM2 Light Pollution  
 SD SP1 Sustainable Development  
 SD SP2 Built -Up Area Boundary

#### PLANNING POLICY GUIDANCE

**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.

The Development Plan consists of the Arun District Local Plan 2003. Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application.

The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

**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 proposes the conversion of part of the former Bodyshop offices in Courtwick Lane to a self-contained GP surgery. The proposed development will involve the relocation of the East Street surgery from Littlehampton Town Centre to the application site. The proposed facility will have capacity to cater for its existing patient list and new patients likely to arise from future housing growth in North Littlehampton.

As the proposal relates to a change of use and a new access it is considered that the application has very limited design implications or technical considerations. The key principal issue relate to the loss of part of the existing Enterprise Hub and highway implications.

#### **LOSS OF EMPLOYMENT SPACE**

The Enterprise Hub was approved as part of application LU/271/11 and was seen as a key consideration in the overall planning balance of the proposal and was seen as a significant positive benefit to the scheme which countervailed the anticipated negative impact of the proposal on the town centre. It is considered that had the applicants not proposed to convert the existing office building to start up space for small and medium enterprise that the planning balance would have changed significantly and the officer would not have recommended approval. As such the proposed loss of the business hub for medical use has wider ramifications for the overall sustainable development of the area which requires careful evaluation.

The Council's Economic Development Department have considered the proposal and have responded that they are not able to support the application due to the loss of commercial space and lack of proposed mitigation by the applicant. The Economic Development Officer's comments further by assessed that the proposed change of use could result in a net loss of a employment space capable of accommodating 110 jobs which would have a significant effect on the local economy.

They conclude that the proposed development "presents a significant and demonstrable harm to the local economy by virtue of the loss of suitable available employment space" in the absence of any suitable mitigation measures.

In planning policy terms the 2003 Local Plan does not include any policies on the retention of existing employment sites. In terms of the draft Local Plan 2012, policy DM1 seeks to protect

existing employment sites and premises where there is a good prospect of employment use. However, the detailed Employment Policies have not yet been agreed by the Local Plan Sub-Committee or Full Council for publication and submission to the Planning Inspectorate so at this stage they garner little weight.

The applicant's Social and Economic Benefits Statement comments on the potential jobs created by the proposed healthcare facility and the number of jobs that could be lost and draws the conclusion that "the proposed healthcare facility is at least as conducive to job creation as the equivalent floor space in the Enterprise Hub".

The Council have been advised by operators familiar with managing enterprise hub type buildings that the remainder of the Enterprise Hub building is of sufficient size and quality to allow a successful operation to take place from it.

Bearing this in mind, and considering that the owner of the premises (Optimisation Developments) have failed to take any positive steps to date to deliver the Enterprise Hub since the Morrison's store opened for trade and the Council have no powers to require them to do so; it is felt that a suitable mitigation would be for the owners of the site enter into a Section 106 agreement with the Council to:

- A) Deliver a programme to bring the Enterprise Hub into active use which sets out key milestones and provisions for its successful operation
- B) An agreement that will strictly limit the Enterprise Hub to be used for its intended purpose and prevent any further subdivision or loss to non-employment uses.

Furthermore a condition will be included to require the applicants to facilitate and provide superfast broadband to the premises to offset the loss of the enterprise space.

It is considered that should these assurances be given that the Council would be satisfied that the remainder of the Enterprise Hub would be secured to be put into active use. Should this come forward it is considered that the proposed change of use would not constitute significant or demonstrable harm.

## **TRANSPORT AND HIGHWAY CONSIDERATIONS**

The County Council's highways response is detailed in the "Consultations" section above. In this they have identified that the site access is considered suitable and meets the requirements of Manual for Streets, and that the trips generated by the site, while causing an intensification, is not likely to be detrimental to highway safety in the vicinity of the site or on the safe operation of the A259/A284 junction.

The Council's response have identified a number of highway improvement measures including to be delivered through S106 agreement and S278 agreement:

- Provision of a new bus stop shelter on the western side of the A284
- Provision of tactile paving and dropped kerbs at the site access
- Provision of tactile paving and dropped kerbs at the junction of Courtwick Lane and the A284
- To secure a parcel of land along the site frontage on courtwick Lane for provision of a bus stop with shelter should a bus route be run along Courtwick Lane.

- Contribution to fund a Traffic Regulation Order to prevent the obstruction of Courtwick Lane and A284 junction along with preventing parking along Courtwick Lane.

The County Council have not raised any significant highway concerns and have suggested suitable conditions to ensure sufficient car parking and a construction management plan.

## **PARKING**

The Applicant has identified that both existing and future parking capacity will be constrained. An accumulation assessment of the likely impact indicates that up to 39 spaces will be required to serve the medical centre and this has been used to establish the parking provision.

While the existing Enterprise Hub is not currently occupied the Applicant has assessed the likely parking requirement of the site. The assessment suggests that the existing site (3,000 metres squared) generates the demand for up to 106 spaces of parking whereas the site benefits from only 92 spaces, a deficit of 14%. As part of the revised Enterprise Hub of approximately 2,000 square metres a parking requirement of up to 76 spaces is required for the Enterprise Hub whereas only 47 will remain, equating to a deficit of 39%.

The proposed medical facility has proposed 39 parking spaces which on the basis of demand is likely to be adequate. The facility will have access from the adjacent Morrison's and there will inevitably be some linked trips and shared journeys between the two premises.

The County Council have identified that the reduction of parking for the Enterprise Hub is likely to result in some off site parking on the highway outside of the site. If inconsiderate parking takes place this could result in the restriction of traffic passing along Courtwick Lane. The applicants have proposed a TRO to regularise the approach to parking in the area and manager flow of traffic along Courtwick Lane.

It is therefore considered that the parking proposed is not likely to result in a significant and demonstrable harm and could be considered acceptable.

## **EFFECT ON AMENITY OF SURROUNDING RESIDENCES**

Littlehampton Town Council's Consultation response sets out that they consider the proposed new entrance onto Courtwick Lane would have a deleterious impact on the amenity of residences to the north of the site. The Town Council suggest that the Enterprise Hub and proposed medical facility should have a single point of access as when permission was granted for the Enterprise Hub the entrance "was located at a positions that would have reduced the impact of the traffic generated at the site on the residential housing opposite. The Town Council therefore objects to the proposed position of the second entrance which is positioned opposite residential housing and is in close proximity to the junction with the A284."

It is understood that at the time the original application was considered some residents were concerned about the effect car lights would have shining into properties from vehicles entering and particularly egressing the site. The Town Council have not identified any other specific effects the proposal would have on residential amenity.

No representations have been received from any residents along Courtwick Lane objecting to the

proposed development.

It is not considered that the proposed development would lead to overlooking, overshadowing, intense light or noise that will affect residential amenity. While an increase in activity in the area might have some impact on residential amenity the area is an existing office block so has had significant activity in the past and a change in the character of the area would be expected on its reuse in the future. The proposed medical facility would have a significant amount of people coming and going throughout the day but is not likely to result in an intensification of use that would materially alter the character of the area to the extent that it would affect residential amenity.

It should be noted that the proposed new entrance is not directly opposite any existing residential properties and is in an area with minimal vegetation at present. Courtwick Lane has street lights along its length and the junction with Lyminster Road is currently lit. It is therefore not considered that the proposed development entrance would have a significantly deleterious effect on the residential amenity of the area or adjoining residential properties.

The County Council have not identified that the proximity to the entrance with the A284 is of concern.

## **CONCLUSION**

The proposed development will result in the loss of employment space that the owners are currently required to provide as an Enterprise Hub for the use of small and medium enterprises.

The Council has no current policies in the 2003 Local Plan to require retention of existing business premises and the Emerging Local Plan policies have yet to be published or approved by Full Council. The applicants will be required to enter into a section 106 agreement with the Council setting out a binding programme for the occupation of the Enterprise Hub and to secure the premises as an Enterprise Hub in perpetuity.

The NPPF identifies that the social role of planning involves "Supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being".

Given the future growth of this area due to planning permissions at Courtwick Lane (600 homes) and North Littlehampton (1260 homes), it is considered that the proposed development will provide necessary and suitable modern facilities in a sustainable location.

It is therefore considered that while the loss of employment space is undesirable, the proposed development will lead to substantial public benefits in the form of well located modern health facility. Approval of the proposal will respond to the social role of planning as set out in Paragraph 7 of the NPPF. Therefore, it is considered that on balance the proposal contributes to the proper planning and sustainable development of the area and is recommended for approval 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 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**

In assessing this proposal a neutral impact has 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.

As a neutral impact has been identified no mitigation is considered necessary.

#### **RECOMMENDATION**

##### **APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT**

- 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:

Location and Block plan 33157 01 C  
Site Plan Existing 33157 05 B  
Site Plan Proposed 33157 06 F  
Ground Floor Plan Existing 33157 12 A  
First Floor Plan Existing 33157 13 A  
Elevations Existing 33157 15 B  
Elevations Existing 33157 17 A  
Ground Floor Plan Proposed 33157 10 H  
First Floor Plan Proposed 33157 11 G  
Elevations Proposed 33157 16 B  
Elevations Proposed (Detail) 33157 18 A

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 materials and finishes of the external walls and roof of the building extension hereby permitted shall match in colour and texture those of the existing buildings.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Amendment) Order 2005, or any Order revoking or re-enacting that order with or without modification the change of use hereby permitted shall be strictly limited to a maximum of 1,000 square metres for D1 use as a medical facility and for no other purpose.

Reason: In the interest of the amenity of adjoining residences and to accord with the NPPF and Local Plan Policies GEN32.

- 5 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. This shall include visibility splays of 2.4 metres by 43 metres at the proposed site vehicular access onto Courtwick Lane. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

- 7 No part of the development shall be first occupied 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.

- 8 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 9 No development shall take place, including any works of demolition, until a Construction

Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

- 10 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

- 11 (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837:2012 (Trees in relation to design, demolition and construction: Recommendations), which provides for the retention and protection of trees, shrubs and hedges to be retained on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.

- 12 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of "superfast broadband" (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To ensure suitable provision for all potential occupiers in accordance with paragraph 42 of the NPPF.

- 13 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.