

Recommendation Report for Planning Permission

REF NO: LU/12/21/PL

LOCATION: Ground Floor Flat
47 Horsham Road
Littlehampton
BN17 6DB

PROPOSAL: Change of use from 1 No.dwelling (C3 Dwelling House) to Beauty Salon (Sui Generis). This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	CHangeof use of ground floor flat of 30 sq.m. in size to Beauty Salon (sui generis)
SITE AREA	30 sq.m.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
SITE CHARACTERISTICS	A retail shop with a flat to the rear.
CHARACTER OF LOCALITY	A parade of shops with residential properties surrounding them.

RELEVANT SITE HISTORY

LU/100/07/	Extension and alterations to ground floor flat, new entry stairs to first floor flat	Refused 27-04-07
LU/55/05/	Change of use from shop to one bed flat with internal alterations (Re-submission following LU/495/04/)	ApproveConditionally 19-04-05
LU/495/04/	Change of use,shop to one bed flat with internal alterations.	Refused 07-01-05

REPRESENTATIONS

Littlehampton Town Council - No objection.

1 letter of objection.

Loss of housing

Parking problems with existing shop.

Trade effluents not dealt with correctly.
Opening hours not adhered to.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. EH comments cover key issues.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADc Environmental Health - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CLASS A ROAD

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

EMPDM1 EMP DM1 Employment Land: Development Management

DDM1 D DM1 Aspects of form and design quality

DDM4 D DM4 Extensions&alter to exist builds(res and non-res)

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

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.

Policies 1 and 2 of the Littlehampton Neighbourhood Plan relate to the proposed development

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 the change of use would be in character with the surrounding area and would not cause any loss of residential amenity.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 and 2 of the Littlehampton Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy EMP DM1 states that the Council will promote and support positive measures to upgrade existing employment areas

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development within the built up area boundary.

The proposed development accords with the necessary Neighbourhood Development Plan policies and is within the built up area boundary.

The proposed alterations are minor and the change of use is considered to be in character with the area.

The alterations are subservient to the host building. They are predominantly internal.

The only external alteration is the movement of a rear window and door which will not impact the nearest residential dwellings and therefore no impact will occur on residential amenity as a result of the scheme.

The proposal is considered to accord with policy D DM1 and DM4 of the Arun Local Plan.

The proposal would accord with policy EMP DM1 in that it would upgrade existing premises.

The parking demand would not rise as a 1 bed flat would be replaced by 30 sq.m. of retail space both of which demand 2 car parking spaces in accordance with the Arun Parking Standards SPD. The parking is provided as on street car parking in this case. The point being there is no change in parking for the development.

The proposal accords with the Arun Local Plan and is recommended for approval subject to the following 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.

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 .

Existing and Proposed Floor Plans received on 28th January 2021.

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 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.