

PLANNING APPLICATION REPORT

REF NO: LU/135/11/

LOCATION: 27 Church Street
Littlehampton

PROPOSAL: Change of use from retail shop to 2 bed domestic flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is to change the use of the existing retail unit to form a 2 bedroom flat.
SITE AREA	0.0124
RESIDENTIAL DEVELOPMENT DEN	80 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing and walling
SITE CHARACTERISTICS	Single storey retail unit with 2 storey house behind. Upstairs is currently in use as a flat.
CHARACTER OF LOCALITY	Close to town centre adjacent to flats. East of the site are flats with 3 storeys with side bathroom windows and secondary windows.

RELEVANT SITE HISTORY

LU/375/89	Change of use from shop & flat to sale of food to takeaway	Refused 04-09-1989 Appeal: Dismissed 04 09 1990
LU/466/04/	Outline application for the demolition of existing shop & flat above, erect 5No. purpose built flats with 2No. parking spaces.	Refused 10-12-2004
LU/59/05/	Outline application for demolition of shop & flat and erection of 4 no. 1 bed flats and 1no. shop (Resubmission of LU/466/04)	Approve Cond 01-08-2005
LU/29/08/	Demolition of existing shop & flat above, construction of 6 No. new purpose built 1 bedroom flats.	Refused 20-06-2008

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection

Comments on Representations received:

Noted

CONSULTATIONS

Senior Estates Surveyor

Senior Estates Surveyor

Consultations responses received:

This is an isolated retail unit just off the town centre which would probably only appeal to a very specialist A1 retail use. Given the length of time it has been on the market it would be better converted into residential provided it could be achieved without looking too much like a former shop premises.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Class C Road

Abuts Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[DEV30](#)

The Form of New Development
Local and Village Centres

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

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 and there is sufficient information to support the loss of a retail unit in compliance with Policy DEV30.

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

This application is to change the use of the shop to allow the construction of one 2 bed flat. Supporting information has been submitted as required by Policy DEV30 to prove that a retail use in this location is no longer viable and the Council's Estates Surveyor has agreed that the premises have been marketed at an acceptable price and for a reasonable time. He also considered that the location of the premises is very isolated from a retail viewpoint.

The design of the proposed windows on the front elevation has been amended to more closely reflect the proportions of the existing dwelling and it is considered that these amendments are acceptable in terms of impact on the visual amenity and the character of the area.

The existing flat roofed building does not contribute positively to the street scene, and the existing shop front which is secondarily protected by a metal security screen is an alien and unattractive feature in what is primarily a residential area. The changes in the front elevation would positively enhance the appearance of the unit.

The impact of the proposal on residential amenity would be limited given that the existing retail unit attracts customers and activity to the site which would exceed the levels generated by a 2 bedroom flat.

The proposal relates to the provision of additional residential accommodation and as such generates a requirement for a commuted sum payable towards affordable housing. An agreement has been submitted as part of the proposal.

The plans were amended to include a rear parking space accessed via the parking area to Temple Court, but this has now been deleted from the proposal. The proposal generates the requirement for one parking space, but given the current retail use of the site and its location in the town centre close to sustainable means of transport the lack of on-site provision would be acceptable.

The application is therefore recommended for approval 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 27chu/lw/001 revision C.

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 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

NATIONAL POLICIES: PPS1

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

- 4 INFORMATIVE: This permission is subject to a planning obligation relating to affordable housing.