

Recommendation Report for Planning Permission

REF NO: LU/154/19/PL

LOCATION: 52 High Street
Littlehampton
BN17 5SY

PROPOSAL: Change of use of ground floor from banking (A2 Financial & professional services) to retail (A1 Shops), permitted development to form 2 No. flats above plus 1 No. further flat & extension to form 1 No. two storey dwelling & ancillary alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the change of use of the ground floor banking hall to retail and alterations to the shop front to create an improved shop window area including re-locating the shop entrance doors and formation of a new entrance door to serve the flats on upper floors. It also includes the following: - Internal alterations to create 3 flats. - Conversion of single storey rear building with addition of new upper floor to create an additional 1 bedroom dwelling. - Alterations to existing parking area - Removal of roof mounted air con units and relocation.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Frontage on back edge of footpath, Rear is enclosed by metal fencing approximately 2m high
SITE CHARACTERISTICS	Former bank premises. Currently empty. Banking services were undertaken at ground floor with staff facilities and storage above. Terraced property with dark brown colour openings at ground floor and white fenestration above. Brick built single storey flat roofed extension to rear.
CHARACTER OF LOCALITY	Town Centre location with retail/restaurant uses at ground floor and offices/residential uses above.

RELEVANT SITE HISTORY

LU/191/19/PD	Notification for Prior Approval for a Change of Use from Financial and Professional Services (Class A2) to Restaurant (Class A3) and alterations to High Street shopfront, provision of extract duct & formation of bin store.
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LU/159/15/PL	Deep clean & redecoration of existing external surfaces & the replacement of 1no external ATM machine & internal alterations.	ApproveConditionally 06-07-15
LU/33/93	Improvement to facade and relocation of entrance doors and provision of access for the disabled	ApproveConditionally 24-03-93

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Support

1 Support

- This will bring a locally listed building back into use and effort has been made to ensure that as much of the wonderful frontage is retained as possible. Similar examples of the work of this architect have been fully listed by English Heritage in Petworth and Croydon.
- Hopefully the application and successful occupancy will ensure that the most attractive building in Littlehampton High Street will remain maintained and in good condition for years to come.
- It is good to see a retail unit being retained at the ground floor in the centre of the Town.

1 Objection

- Restaurants in Littlehampton are already struggling to make ends meet. Saturation is not the key to stability and success in the town. Wimpy has been a feature of the town since the 1960's and we are continuously being disadvantaged by renovation projects that exclude us, rerouting of parades so we miss trade, and more and more new establishments that just dilute the available consumer spend. There are already restaurants up for sale does this not ring alarm bells? If this restaurant goes ahead then this will push us over the cliff and Littlehampton will no longer have this iconic british brand in its town.

COMMENTS ON REPRESENTATIONS RECEIVED:

Competition and market forces are not a material planning consideration. Each application is considered on its own merits. The proposal is not for an A3 (food and drink) use. It is for retail use at ground floor.

CONSULTATIONS

Economic Regeneration
Environmental Health
Engineering Services Manager
Engineers (Drainage)
Southern Water Planning
Environment Agency
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - Environment Agency should be consulted regarding flood risk. No conditions suggested.

Southern Water - A formal application for a connection to the foul and surface water sewer should be made by the applicant or developer. Informative requested.

Environment Agency - Development is acceptable in terms of the mitigation proposed.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Within Town Centre

Primary Retail Frontage

Flood Zone 3

Locally Listed Building

DEVELOPMENT PLAN POLICIES

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

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
TSP1	T SP1 Transport and Development
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character

[Littlehampton Neighbourhood Plan 2014 Policy 2](#) A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 1 The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 17 Buildings and Structures of Character

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 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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policies 1, 2 & 17 of Littlehampton Neighbourhood Plan are considered relevant.

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

PRINCIPLE

The application site falls within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy consideration in the determination of this application is deemed to be DDM1 of the Arun Local Plan. The application site falls within the town centre and within a Primary Retail Frontage and as such it is considered that policies RET SP1 and RET DM1 of the Arun Local Plan is applicable to the determination of this application.

IMPACT ON TOWN CENTRE

The proposal provides a retail use at ground floor. This would accord with policies RET SP1 and RET DM1 of Arun Local Plan which seek to retain the hierarchy of town centres and retail uses at ground floor along primary shopping frontages. The residential use of upper floors is acceptable and accords with the National Planning Policy Framework(NPPF) para 85(f) which recognises that residential development often plays an important role in ensuring the vitality of centres.

VISUAL AMENITY AND CHARACTER

The proposal includes minimal alterations to the external appearance of the property. The building has a

distinctive character and the alterations to the shop front are respectful of that character. The existing joinery style will be matched, stone facings removed, carefully cut and retained for re-use. Timber windows to upper floors are to be renovated and fitted with internal secondary glazing. The existing rear south windows are pvcu and will be replaced with almost identical windows. The upper floor is to be tile hung to match the existing tile hanging on the existing building, the roof is to be mineral slates similar to the main building. It is proposed that the walls of the bin store would match the existing building.

IMPACT ON HERITAGE ASSET

The building is locally listed and it is considered that the proposed alterations would be sympathetic to its character and sensitive to its historic interest. No features which contribute to its interest would be lost. The opening up of the side arches to create doorways to the flats above would contribute to a more active site frontage. The re-use of the building is welcomed since it would ensure the long term retention and maintenance of the building. The proposal therefore accords with policy HER DM2 of Arun Local Plan. The proposal also contains a supporting statement referring to the heritage asset in accordance with para 189 of the NPPF and it would also accord with para 197 of the NPPF in that there is limited harm and no loss to the non-designated heritage asset.

FLOODING

The development lies in Flood Zone 3. The application is accompanied by a site specific Flood Risk Assessment and the Environment Agency have advised that subject to imposition of a suitably worded condition the risk of flooding would be satisfactorily addressed in accordance with policy W DM2. Residential escape will be by refuge to upper floors and awaiting tidal retreat or rescue and electric meters and distribution will be located as high as possible within the ground floor.

RESIDENTIAL AMENITY

The proposed change of use is not considered to give rise to any unacceptable unneighbourly impacts.

Environmental Health have not commented but if the replacement air conditioning units cause a statutory nuisance they would be able to take action under separate legislation. who have raised no objections in relation to the proposed equipment.

It is considered that the proposed use is in keeping with the established character of the area - similarly it is considered that the proposed use would not result in unacceptably adverse intensification or disturbance beyond that which could be expected in this locality.

The rear extensions would retain an acceptable distance to side boundaries and the first floor extension has a low eaves height of 4.5m and would not result in any materially adverse overbearing impacts on adjacent properties. No windows are proposed in the side elevations and balcony sides are conditioned to be obscure glazed which would ensure that no materially adverse overlooking or loss of privacy to adjacent properties would result.

Therefore, it is considered that the proposed extensions and alterations would accord with the limitations of policy DDM1 of Arun Local Plan.

In terms of the residential amenities of proposed residents the council is applying the Nationally Prescribed Space Standards which require 58 sq m for a 1 bed 2 storey dwelling, the internal floor area of the 'New Cottage' is approx 66sqm which therefore exceeds the standard. For a 2 bedroom single storey flat it is 70 sqm and Flat 1 is compliant with a floor area of 115sqm, Flat 3 is a single floor one bedroom flat which requires 39 sq m for single person occupation and 50sqm for 2 person occupancy. It has a floor area of 49 sqm and Flat 2 which is 2 storey has a single bedroom and is 61sqm in area exceeding the requirement of 58sq m for 2 person occupancy. The proposal therefore accords with the aspirations of policy DDM2 of Arun Local Plan.

PARKING

The site is sustainably located in the town centre with easy access to shops, pubs and restaurants and the station and bus stop are within walking distance. It therefore reduces reliance on the car in accordance with policy TSP1 of Arun Local Plan. A single parking space is being retained, but re-located. Cycle parking is provided in a secure area for the new cottage.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the below 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:
 011218: TP.01 Proposed Basement and Ground Floor Plans.
 011218: TP.02 Proposed First Floor Plan
 011218: TP.03 Proposed Second and Third Floors
 011218: TP.04 Proposed Roof, Site, Location Plan

011218: TP.05 Proposed West Elevation
011218: TP.06 Proposed East Elevation
011218: TP.07 Proposed Front and Rear Elevations
011218: TP.08 Proposed Alterations to Shopfront
011218: TP.09 Proposed Section
011218: TP.10 Proposed Section through House
011218: TP.01 Proposed Street Elevations

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 The development permitted by this planning permission shall only be carried out in accordance with the submitted design statements and plans (ref Proposed alterations: 52 High Street, Littlehampton, Sussex- Design Statement) and the following mitigation measures it details:

- Residential escape is by refuge on the upper floor level and await tidal retreat or rescue
- In all cases electric meters and distribution shall be placed as high as possible within the Ground Floor or upper floors where appropriate
- All occupants will be advised to arrange advance flood warning with the Environment Agency
- Sleeping accommodation is to be located on the first floors and above

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk to the proposed development and future occupants in accordance with policies W SP1 and W DM2 of Arun Local Plan.

- 4 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 5 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.