

Recommendation Report for Planning Permission**REF NO:** LU/256/14/PL**LOCATION:** 66 High Street
Littlehampton**PROPOSAL:** Retention of replacement shopfront with new aluminium/glass front with automatic door & roller shutter**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal relates to a recessed shop front set back from the site frontage approx. 1m. The grey colour roller shutter is utilised when the shop is closed.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Unit is located on site frontage
SITE CHARACTERISTICS	The retail unit is in the middle of the shopping parade. The shop front and shutter are already installed.
CHARACTER OF LOCALITY	Predominantly retail.

RELEVANT SITE HISTORY

LU/135/98/	Installation of a roller shutter on the shop frontage.	ApproveConditionally 14-07-1998
LU/115/83	Install new shopfront and integral fittings in a retail shoe shop	ApproveConditionally 23-03-1983

REPRESENTATIONS**Representations received:**

Littlehampton Town Council

No Objection providing that the shuttering is white and an open weave design, in line with the Town Council's objective to support the continuing economic strength of the High Street.

2nd Consultation - No Objection as the shuttering is of open weave design and off white in

colour

Comments on Representations received:

Whilst the roller shutter is not white, it is a light grey and not that dissimilar to white. It is of an open weave design that allows the window behind to be visible.

CONSULTATIONS

Economic Regeneration

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Principal Shopping Area

Primary Shopping Frontage

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN7](#) The Form of New Development
[AREA19](#) Primary Shopping Frontages

[Publication Version of the Local Plan \(October 2014\):](#) RET DM1 Retail Development
D SP1 Design
D DM1 Aspects of Form and Design Quality

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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 on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Littlehampton; Felpham; Yapton.

There are no policies in the Littlehampton Neighbourhood Plan specifically relating to replacement of shop fronts.

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 site is located in a Principal Shopping Area within the Primary Retail Frontage. The proposal only relates to the change to the shop front and therefore would be compliant with policy AREA19 of Arun District Local Plan. Although it does not have a window display, glasses are visible through the window and signs relating to the Post Office are displayed. The design of the shop front is modern, as are the adjoining units. It would therefore be in keeping with the character of the shopping area. The shop front that has been replaced dated from the 1980s and was not an original feature of any merit.

The roller shutter is light in colour and allows views through it. It is not therefore a solid barrier to the shop front behind. Other roller shutters are present in the town centre and it does not detract from the visual amenities of the locality. A roller shutter was previously approved in the late 1980's.

The application is recommended for approval.

HUMAN RIGHTS ACT

FOR APPROVAL

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 (the right to respect for 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 neutral 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).

RECOMMENDATION

APPROVE

- 1 **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.