

Recommendation Report for Planning Permission

REF NO: LU/264/18/PL

LOCATION: 8 - 10 Clifton Road
Littlehampton
BN17 5AS

PROPOSAL: Change of use from a function room on first floor to separate office accommodation.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	As above. The first floor currently comprises a function room, office, kitchen and wcs and the proposal would change the function room area into an office and conference room approx. 3.5m by 2.8m accessed from an office floor capable of accommodating 16 desks. The floor area of the main office is 7m by 13m.
SITE AREA	0.027 hectares
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	2 and 3 storey end of terrace premises on corner of Clifton Road and Arcade Road. Painted rendered elevations. Club/drinking establishment at ground floor. Residential dwelling to south.
CHARACTER OF LOCALITY	Edge of town centre characterised by a mix of retail/commercial and residential use.

RELEVANT SITE HISTORY		
LU/151/80	Entrance Canopy New Basins And New Doorway	ApproveConditionally 16-04-80
LU/199/86	Alterations To Ground Floor To Provide New Lounge Bar And Kitchen And Exhibition Snooker Playing Area	ApproveConditionally 09-06-86

REPRESENTATIONS	
REPRESENTATIONS RECEIVED:	

Littlehampton Town Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Environmental Health

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Outside Town Centre

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
QEDM1	QE DM1 Noise Pollution

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

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 policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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.

Policy 1 of Littlehampton Neighbourhood Plan is relevant to consideration of this application.

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 not have a materially adverse effect on the visual amenities of the locality or 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 site is located within the built up area boundary where conversion of the function room to office use, is acceptable in principle subject to compliance with relevant planning policies. In this instance the main criteria against which the application will be assessed is that within policies DDM1 and DDM4 of the Local Plan.

BACKGROUND

The applicant has stated that the function room on the first floor has slowly generated little or no income and he can no longer retain the use when the floor area still has overheads that must be met. The downstairs of the business has been under the pressure of propping up the function room. Many pubs and clubs in the town close over the past few years (Railway Club, Maltravers Club, Sailing Club) have closed and if action is not taken now, this business could become another statistic. There are figures available to back up the concerns and diary bookings can be provided.

There are no specific policies in the Local Plan relating to loss of leisure uses and the proposal is not subject to consideration of retail policies since it lies outside the boundary of the town centre as defined in the Local Plan.

IMPACT ON VISUAL AMENITY AND CHARACTER OF THE AREA

The proposal represents conversion of the existing premises and does not include any extensions to it. The external appearance of the building would not be altered. The office use would be in keeping with the character of the area, other commercial properties exist in the locality. The building is situated on a prominent corner on the edge of the town centre. Its conversion would accord with policy DDM1 of the Local Plan and Littlehampton Neighbourhood Plan Policy 1.

RESIDENTIAL AMENITY

The proposed office use would be a more neighbourly and quieter use than the existing function room which has been hired out for parties with music generated. in the evenings. It is therefore unlikely that office use would result in any adverse impact on the residential amenities of adjoining residential properties. Traffic noise from parking and vehicle movements and noise from people visiting the town centre and utilising the ground floor club facilities already exists.

It is not considered that it would be reasonable or necessary to restrict the hours of operation of the office business.

PARKING PROVISION

No parking is provided on the site, so neither the existing or proposed use benefit from off street parking. However, the site is located on the edge of the town in a sustainable location with good access to train and bus services.

CONCLUSIONS

The application is therefore 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:

Proposed First Floor Office Plan AR-132B-03

Existing Ground Floor Plan and Site Plan AR-132B-01

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 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.