

Recommendation Report for Planning Permission

REF NO: LU/286/20/PL

LOCATION: Casino Amusements
50 High Street
Littlehampton
BN17 5ED

PROPOSAL: Retention of shop fronts to north and west, 2 No. fascia boards, shutters & shutter housing to north & west ground floor elevations. This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks approval for works which have already been undertaken involving 2 new shop fronts and 2 fascia boards on the front and side elevations of the premises which face onto High Street. The shopfront includes stall risers, 2 no new columns, additional frame sections added between door to prevent internal door handles clashing with internal frame. The materials are specified on the plans and comprise RAL 3020 matt (RED) finish with black low modulus silicone.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	No boundary treatment present around the shop front. The premises are abutting the pedestrianised footpath.
SITE CHARACTERISTICS	A high street retail store with an office/ storage area and residential apartment above.
CHARACTER OF LOCALITY	High street shopping location fronting onto the pedestrianised area of Littlehampton Town Centre with a retail servicing area and a variety of commercial uses to the rear of the property.

RELEVANT SITE HISTORY

LU/330/19/PL	New street doorway on west side of shop display window.	ApproveConditionally 15-01-20
LU/249/19/PL	Change of use of No 48 from Licenced Betting Office & Adult Gaming Centre (Sui Generis) to Retail (A1 Shops) & No 50 from Retail (A1 Shops) to Licenced Betting Office & Adult Gaming Centre (Sui Generis).	ApproveConditionally 06-12-19

REPRESENTATIONS

Littlehampton Town Council
No Objection

One Objection

- Adverse impact on visual amenity.
- This frontage is very much at odds with the buildings near it. The colours are garish and cheap looking.
- It provides a poor introduction to the town centre on arrival from the main car park.

COMMENTS ON REPRESENTATIONS RECEIVED:

The colour and signage cannot be considered as part of this application.

For the reasons set out in the conclusion section of this report it is considered that the shop fronts and fascia boards have an acceptable appearance within the shopping parade and do not adversely affect the visual amenities of the locality.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Primary Shopping Frontage
Principal Shopping Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM1	HER DM1 Listed Buildings
RETDM1	RET DM1 Retail development

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.

Policy 1 and 2 of Littlehampton Neighbourhood Plan are considered 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 the development would not have an adverse impact on the visual amenities of the locality or the character of the area.

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

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within relevant policies of the Arun District Local Plan mainly DDM1 and DDM4 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and the character of the area.

IMPACT ON VIABILITY OF THE TOWN CENTRE

The site lies within the Primary Retail Frontage of Littlehampton. The use of the ground floor for a retail use would not be affected by this application and therefore there would be no adverse effect on the vitality and viability of the shopping area.

VISUAL AMENITY

The proposal amends the previous fascias by providing replacements of similar dimensions and position. The main change is that the fascia lacks the decorative framing to the top which overhung slightly and provided better definition to the panels, but this change is not readily visually apparent when the unit is viewed within the streetscene.

The changes to the shop front are again not significantly different. The door is more offset on the site frontage and the side elevation has a doorway which was approved under reference LU/330/19/PL. Given the limited differences between the previous shop fronts and fascias and those proposed there would be little impact on visual amenity or the setting of the adjacent Listed Building. The doorway and shopfronts would be consistent with others in the nearby pedestrianized High Street and would not be overly obtrusive.

The provision of shutters would reflect those on adjacent buildings at the post office and jewellers and would not look out of place in the street scene when the premises are vacant.

It is not considered the fascias, shutters or shopfronts are unacceptable or visually detrimental.

IMPACT ON SETTING OF ADJACENT LISTED BUILDING

Policy HER DM1 requires the setting of listed buildings to be protected and where possible enhanced. The development detailed would have not enhance its setting, but given the comparable size of the fascias being replaced the setting would be protected.

RESIDENTIAL AMENITY

The proposal would not impact on residential amenity.

RETAIL USE

The proposal retains a shopfront providing visual interest to the shopping parade. The site is located in a Primary Shopping Frontage and the retention of a shopfront frontage would accord with policy RET DM1 of the Arun Local Plan.

CONCLUSION

It is therefore considered that the new street doorway is acceptable and complies with policies DDM1, DDM4 and HER DM1 of Arun Local Plan, Policies 1 & 2 of the Littlehampton Neighbourhood Plan. The application 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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
Block Plan 101
Site Plan 102
Location Plan 100

Elevation 1 2043.01 rev B
Proposed Floor Plans and Elevations 104A
Existing Floor Plans and Elevations 103
Proposed Site Plan 102

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.

- 2 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.