PLANNING APPLICATION REPORT

REF NO: **LU/32/09/**

LOCATION: 5-7 East Street
Littlehampton

PROPOSAL: Alterations to convert existing first floor flat into two self contained flats including external stairs and rear entrance doors, provision of revised kitchen extract flue. Use of ground floor as restaurant

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 460 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary is directly onto footway, rear boundary has white painted wall approximately 3m in height, side boundaries wall approximately 3m in height.
SITE CHARACTERISTICS	Two storey property formerly The Spotted Cow Public House. The property has red brickwork with brown window frames, wrought iron staircase on rear elevation.
CHARACTER OF LOCALITY	Within the Littlehampton Town Centre comprising retail and commercial premises. Car park to rear west of site.

RELEVANT SITE HISTORY

LU/307/94	Conservatory extension to rear at 1st floor level	Approve Cond 21-06-1995
LU/189/81	Change of use conversion of storeroom into entertainments room	Refused 12-08-1981
LU/133/86	Alterations to front entrance roof over covered way and re-open delivery door	Approve Cond 06-05-1986

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

Comments on Representations received:
None

CONSULTATIONS

WSCC Local Development Divis.
Environmental Health

Consultations responses received:
West Sussex Highways

It is not considered that the proposals would result in any material impacts or result in any highway safety concerns. The property is within walking distance of a range of services and public transport, therefore there should be no reliance as such on the use of the private car. West Sussex County Council standards would require 1 cycle space to be provided for each bedroom of the converted dwelling.

Environmental Health

No objection. The amended specifications submitted should achieve a level of odour control that reduces the risk of an odour nuisance arising from the discharge of residue cooking odours from these premises. The information on noise levels indicates that no noise nuisance should arise. The premises will be required to provide adequate facilities for the storage and collection of refuse and food waste.

Comments on Consultation responses:
Environmental Health comments noted. If approved, a condition is to be imposed regarding the collection of customer waste.

County Highway's comments noted. The provision of cycle storage within the site is not achievable due to limited space to the rear and there is no justification to refuse the application for the lack of cycle storage.

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	CH1	Character
	DEV1	High Quality Development
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN32	Noise Pollution
	DEV26	Criteria for Retail Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS23	Planning and Pollution Control

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.

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 property which is vacant and was formerly a public house with living accommodation at first floor level is located within the town centre.

The proposal is to convert the ground floor to a fish restaurant with the first floor four bedroom flat to be converted into two self-contained two bedroom flats. There will be no increase in size to the ground and first floors and the internal stairs are to be removed and a new external staircase to serve the flats will be positioned on the north elevation with a walkway leading to two new entrance doors which will be positioned in the rear west elevation.

There will be no significant change to the ground floor layout other than the internal extension of the kitchen area and the existing extract flue on the north side elevation is to be replaced by a smaller extract flue. A ground floor window on the north side elevation is to be blocked up.

The proposed steel access stairs will be hidden from view in the side passageway and the creation of the new entrance doors to the flats on the rear elevation will not detrimentally harm the appearance of the building. It is considered that the removal of the existing large extract flue and the replacement with a smaller flue will improve the external appearance of the building.

Environmental Health have been consulted regarding the proposed extract flue and have raised no objection regarding odour and noise levels.

County Highway's have raised no objection regarding highway safety but request that cycle storage be provided within the site. This cannot be achieved within the site and there is no justification to refuse the application for the lack of cycle storage.

The proposed use will be a good solution for this vacant former public house and will bring the building back into use in an acceptable manner in this town centre location.

It is therefore recommended that the application be approved, 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 premises shall not be open for trade or business except between the hours of: 11.30 - 23.30.

Reason: To safeguard the amenities of neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 Before the use is first commenced, provision shall be made at the premises for the collection of customer waste in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be maintained to the satisfaction of the Local Planning Authority whilst the use is taking place.

Reason: In the interests of the amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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

STRUCTURE PLAN: LOC1, CH1, DEV1

LOCAL PLAN: GEN2, GEN7, GEN32, DEV26

NATIONAL POLICIES: PPS1, PPS23

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.