

Recommendation Report for Planning Permission

REF NO: LU/330/19/PL

LOCATION: 50 High Street
Littlehampton
BN17 5EA

PROPOSAL: New street doorway on west side of shop display window.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for a new street doorway on the west side of the shop display window. The purpose of the proposed doorway and internal access corridor is to provide a safe escape route from the 1st floor offices, which are currently not fully separated from the ground floor sales area. An additional purpose of the proposal is to comply with safety legislation and to make the premises suitable for continuing use in a shopping centre.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed 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/141/61	New Shop Front	ApproveConditionally 14-08-61
LU/168/70	New Shopfront To Replace Existing	Approve 03-07-70
LU/136/79	Alterations To Rear Access	ApproveConditionally

18-04-79

LU/385/82	Alts To Windows - Replacement Of External Stairway With New Stairs & Gallery In New Positn - Erection Of 2m Tall Fence	Approve 29-09-82
LU/261/82	Reposition Existing Entrance Doors To Existing Retail Shop Premises	ApproveConditionally 06-07-82
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
LU/347/07/	Change of use of first floor of former cottage to self contained dwelling	ApproveConditionally 16-11-07

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
No objection.

The Town Council's Planning and Transportation Committee considered this matter at its meeting held on Monday 11th November 2019 and had no objection to the application. It was noted that the purpose of the side door was for reasons of fire safety in case the first floor of the building came into use as a separate office unit. On this basis the committee has no objection to the proposal providing it did not impinge on the entrance of the adjacent business.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

- none

COMMENTS ON CONSULTATION RESPONSES:

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)
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policy1 and 2 of Littlehampton Neighbourhood Plan is 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 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.

CONSIDERATION OF ALTERNATIVE SITES

(ONLY REQUIRED FOR TELs)

The applications report received with this application explains that alternative sites have been considered. These include the following:

...(Enter site address and reason for discounting)

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, DDM4 and HER DM2 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. Other residential uses exist above other premises and there would be no adverse impact on the character of the area.

VISUAL AMENITY

Given the limited scale of the proposal there would be little impact on visual amenity and the setting of the adjacent Listed Building. The doorway would be consistent with others in the nearby pedestrianized High Street and would not be overly obtrusive given its positioning at the side of this existing shopfront window.

It is not considered this doorway would be unacceptable or visually detrimental.

RESIDENTIAL AMENITY

The impact by way of noise is a material consideration in the determination of this application. The proposal would generate additional noise from people entering and leaving through this door, but given its busy town centre location and limited usage it is not considered that this would result in material harm to residential amenity.

PEDESTRIAN ACCESS

The doorway opens internally and the proposal will therefore not unacceptably impede access along the footpath in conflict with policy DSP1 of the Arun District Local Plan.

RETAIL USE

The proposal retains the front part of the ground floor as a retail unit. The site is located in a Primary Shopping Frontage and the retention of the retail use 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 DM2 of the Adopted Arun District 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) 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: Unnumbered block & location plan, ground & first floor proposed floor plans, existing & proposed elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy of the Arun Local D DM1 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.