

Recommendation Report for Planning Permission

REF NO: LU/39/12/

LOCATION: Harbour Office
Pier Road
Littlehampton

PROPOSAL: Change of use from ground floor board room (B1 office) to shop (A1 retail)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	545 square metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Property is bounded along the north by a 1.2 metre tall iron fence with hedging along part. To the east and west the property is bounded by a part fence and part open to Pier Road and the Riverside walk. Along the southern boundary the property is marked by a 1.2 metre tall iron railing.
SITE CHARACTERISTICS	The site is occupied by a two storey property of individual design, with brick elevations and substantial use of glass on the western facade. There is a paved area of parking on the north-eastern and southern edges of the site.
CHARACTER OF LOCALITY	Mixed use area with residential and retail premises.

RELEVANT SITE HISTORY

No comments

REPRESENTATIONS

Representations received:

Littlehampton Town Council- No objection to this being a ticket office but would object to this being used for general retail.

Comments on Representations received:

The planning application form does not specify that the proposed retail use will be for a ticket office as such it is considered that the Town Council have objected to the proposal.

CONSULTATIONS

WSCC Local Development Divis.
Economic Regeneration
Environment Agency

Consultations responses received:

West Sussex County Council Strategic Development:-

This application seeks change of use of the existing Board Room at Harbour Office, Pier Road, into to A1 retail. Pier Road is a C classified road subject to a 30mph speed restriction. There will be no change to the access or parking arrangements at the site.

From inspection of the plans, there appears to be no apparent visibility issue at the point of access onto Pier Road. I have also checked the most recently available verified accident records, which reveals there have been no personal injury accidents in the vicinity of the existing point of access.

The area that is subject to this change of use measures 20.9 m2. For this size area we would expect the demand for one additional parking space. Given that there will be no change to the number of staff at the harbour office and taking into consideration the sustainable nature of the site there would be no anticipated highway safety concerns raised to this proposal. The LPA may wish to consider the implications towards on street car parking.

There will be no overriding highway safety concerns raised to this proposal.

ECONOMIC REGENERATION- No comments

ENVIRONMENT AGENCY- The site is within Flood Zone 3. However, in accordance with Table 2 of the Technical Guidance to the NPPF there is no change in flood risk vulnerability classification. We therefore have no comments to make.

Comments on Consultation responses:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Flood Zone 2 and 3
Outside primary retail frontage

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN10	Tidal Flooding and Coastal Defence
	GEN12	Parking in New Development
	DEV26	Criteria for Retail Development
	DEV27	Retail Development Outside the Principal Shopping Areas

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

PLANNING

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

PLANNING

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

PRINCIPLE

The application seeks permission for the change of use of the ground floor of building from a Class B1 Office Use to a Class A1 Retail Use. The retail use would be restricted to some 20 square metres. The site forms part of the built-up area boundary in which the development is acceptable in principle.

RESIDENTIAL AND VISUAL AMENITY

There are no proposed alterations to the outside of the building therefore there will be no impact on visual amenity.

Pier Road is a mixed use area therefore the proposed retail use would not conflict with the localities character. The application form indicates opening hours of 08.00 to 18.00 which are regular operating hours and would not give rise to concerns over the residential amenity of the area.

RETAIL IMPACT

The proposed retail space is outside of the District Council's Principal Shopping Area as defined in the Council's adopted Proposals Map. It therefore needs to be assessed against policies DEV26 and DEV27 of the Local Plan.

DEV26 identifies several criteria for the location of retail premises. They should be of a high standard of design; accessible by public transport; include provision for access by cycle and foot; accessible by people with disabilities; and incorporate crime prevention measures. The proposed change of use successfully meets all of these criteria by way of its location and detailed design.

DEV27 requires the above criteria to be met and a requirement that the proposal does not adversely affect the vitality and viability of the Principal Shopping Areas and local shopping areas. Given the size of the proposal (20 square metres) these will not be adversely affected.

To conclude, there is not likely to be any negative retail impact should the proposal be granted permission.

FLOOD RISK

The Environment Agency have not objected to the proposal.

SUMMARY

The proposal is not considered to have an unacceptable impact on the amenity of the adjoining uses

given the existing mixed use character of the area and as there are not external alterations there will be no impact on the visual appearance of the street scene. In retail terms it is not considered that there would be any negative impact. It is therefore recommended that the application be approved subject to the conditions set out below.

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 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 a neutral impact has 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.

As a neutral impact has been identified no mitigation measures have been proposed.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

HO/559/HO/201b

Reason: For the avoidance of doubt and in the interests of amenity and the environment

in accordance with POLICY GEN7 the Arun District Local Plan.

- 2 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).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the visual amenity of the locality in general in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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

LOCAL PLAN: GEN2, GEN7, DEV26, DEV27

NATIONAL POLICIES: NPPF

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.