

Recommendation Report for Planning Permission

REF NO: LU/404/17/PL

LOCATION: 2-6 Beach Road
Littlehampton
BN17 5HT

PROPOSAL: Removal & replacement of single storey outbuilding in retail use, removal of substandard first floor extension to flat No. 1 & structural repairs to existing main pitched roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
	This proposal seeks to provide for improved facilities for these existing shop units. This will include a small amount of extended floor area of no.6, including provision of kitchen and WC. Bin storage will also be provided. To the rear of no.4 a WC facility will be provided. An existing lean to at the back of the yard area will be demolished, together with external toilets, and part of the yard infilled, although some yard area will be retained. The extension(s) will be flat roofed with roof lanterns. Materials are proposed to match existing.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	For the most part boundaries at the rear are brick walling and 3m+ in height. The front of the units is set at back edge of footpath. Materials are a mixture of brick and rendered/painted brick.
SITE CHARACTERISTICS	The site is occupied by 3 units which are commercial at ground floor for the most part. Above these are flats.
CHARACTER OF LOCALITY	The area is commercial in character at ground floor. Many premises have flats above.

RELEVANT SITE HISTORY

LU/12/75	Fire Escape At Rear	ApproveConditionally 12-02-75
LU/94/83	Change Of Use Of 2nd Floor Premises Above Present Night Club To Use For Martial Arts And Keep-Fit Academy	ApproveConditionally 13-04-83

LU/49/48	Alterations To Form Fish Shop	Approve 15-12-48
LU/166/61	New Shopfront	Approve 14-08-61
LU/174/74	Alterations To Toilet Change Of Store Room To Ladies Powder Room	ApproveConditionally 28-06-74
LU/192/60	Use Of Premises As A Dining Club	Approve 14-10-60
LU/193/60	Change Of Use From Shop To Club Tea Room	Approve 14-10-60
LU/21/61	Shop Front	Refused 10-02-61
LU/243/79	Change Of Use	Refused 08-08-79
LU/411/74	Internal Alterations	ApproveConditionally 29-11-74
LU/157/05/	New Shop Front	ApproveConditionally 04-08-05
LU/42/96	Conversion of first & second floors from a health club into two 2-bed flats and one 2-bed maisonette	ApproveConditionally 11-04-96

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Littlehampton Town Council raises no objection.

No representations have been received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Economic Regeneration

Engineering Services Manager

Engineers (Coastal Protection)

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Arun DC Economic Regeneration comments that since there is no loss of retail space economic development would have no objection to this application.

Arun DC Engineering Services Manager recommends that a condition is imposed regarding the installation of suitable flood resilience measures. Also that as the site has suffered sewer related flooding, an informative be attached regarding contacting Southern Water Services in relation to considering the efficacy of installing other flood defence measures such as bolt down drain covers and / or non-return valves on the drains.

COMMENTS ON CONSULTATION RESPONSES:

Noted and a condition and an informative have been added.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Principal Shopping Area

Flood Zones 2 & 3

Buildings of Special Character

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN22	Buildings or Structures of Character
AREA19	Primary Shopping Frontages

[Publication Version of the Local Plan \(October 2014\):](#)

SD SP2 Built -Up Area Boundary

D DM1 Aspects of Form and Design Quality
 D DM4 Extensions & Alterations to Existing Buildings
 HER DM2 Locally Listed Buildings or Structures of Character
 D SP1 Design
 RET SP1 Hierarchy of Centres
 RET DM1 Retail Development

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
Littlehampton Neighbourhood Plan 2014 Policy 17	Buildings and Structures of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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.

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).

Littlehampton has a Made Neighbourhood Plan. Policies 1, 2 and 17 are relevant. The proposal is in accord with these policies.

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

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 the Arun District Local Plan which in this case is considered to be policy GEN7 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Compliance is also required with policies 1, 2 & 17 in the Littlehampton Neighbourhood Plan regarding development within the built up area boundary and safeguarding buildings of character. Policies in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

The proposed development by virtue of its design and the materials used in its construction is considered to appear well integrated and subservient to the existing building. It would not be generally visible and would have very little visual impact. There would be little or no appreciable impact on the character and appearance of the Buildings of Special Character and if anything the proposal results in an improved appearance. The proposal is therefore considered to be consistent with policies and acceptable.

AMENITY

The proposal has little impact on residential amenity, particularly as it largely set at ground floor in the existing yard area and relates largely to the commercial units. The proposal is therefore considered to be consistent with policies and acceptable.

OTHER

The site is in a sustainable location and the additional commercial floor area is very limited. There is therefore no additional parking implication. In addition, the improved facilities will increase to attractiveness of these for continued occupancy by local businesses.

It is therefore recommended that planning permission be granted subject to 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 drawings:

Drawing Number 030417/TP.01 Rev A - Proposed Ground Floor & Site & Location Plans - Dated 18.12.2017

Drawing Number 030417/TP 02 - Proposed First Floor Plan - Dated 16.08.2017

Drawing Number 030417/TP 03 Rev A - Proposed Second Floor and Roof Space Plans - Dated 26.10.2017

Drawing Number 030417/TP 07 Rev A - Proposed South & North Elevations - Dated

26.10.2017

Drawing Number 030417/TP 06 B - Proposed West Elevation - Dated 18.12.2017

Drawing Number 030417/TP 05 - Existing & Proposed Roof Plans - Dated 30.10.2017

Drawing Number 030517/TP 08 Rev A - Typical Section Proposed - 30.10.2017

Drawing Number 030417/D1 Rev A - Proposed Ground Floor Demolition - Dated 05.07.2017

Drawing Number 030417/D2 - Proposed First Floor Demolition - 24.05.2017

Drawing Number 030417/D3 Rev A - Second Floor & Roof Space Demolition - Dated 31.10.2017

Drawing Number 030417/D4 Rev A - Section Showing Existing & Demolition - Dated 31.10.2017

Drawing Number 030417/D5 Rev A - South & West Elevations Showing Demolition - 31.10.2017

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the development hereby permitted shall match in colour, texture and finish those of the existing buildings.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 Development shall not commence until full details of proposed flood resilience measures have been submitted to and approved in writing by the Local Planning Authority. The flood resilience measures so approved shall be implemented prior to completion of the development.

Reason: To ensure that the proposed development is satisfactorily protected from flooding as the site is within Flood Zones 2 and 3, in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 5 INFORMATIVE: The Councils Engineering Services Manager has advised that the site has suffered from flooding in the past and has advised that the applicant is recommended to contact southern Water Services in relation to considering the efficacy of installing other flood defence measures such as bolt down drain covers and/or non-return valves on the drains.

Southern Water Services can be contacted as follows:

Southern Water,
Sparrowgrove House,
Sparrowgrove,
Otterbourne,
Hampshire
SO21 2SW

Tel: 0330 303 0119)

or

www.southernwater.co.uk

- 6 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.