

Recommendation Report for Planning Permission**REF NO:** LU/42/12/**LOCATION:** 3 New Road
Littlehampton**PROPOSAL:** Change of use from B1 (Business) to C3 (residential)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.123 Hectares.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Dwarf wall to front, rear enclosed by various fencing.
SITE CHARACTERISTICS	Mid terrace 2 storey building, currently in use as an office. Rendered elevations and concrete tiled roof. Bay windows to front elevation with lean-to on rear.
CHARACTER OF LOCALITY	Residential and commercial uses within close proximity. Lidl opposite and shop unit at ground floor level within the adjoining building to the west. Traditional residential terraces to the east.

RELEVANT SITE HISTORY

LU/238/88	Change of use from Residential to Architects office	Approve Conditionally 31-05-1988
LU/128/90	Change of use from Architects Office to use as Offices serving a Development Company (Class B 1)	Approve Conditionally 21-05-1990

REPRESENTATIONS**Representations received:**

Littlehampton Town Council

Awaited

Comments on Representations received:

None

CONSULTATIONS

Engineering Services Manager
Environment Agency
WSCC Local Development Divis.

Consultations responses received:

ENGINEERS:
No comments.

ENVIRONMENT AGENCY:
No objection.

COUNTY HIGHWAYS:

A nil vehicular parking provision is provided for this development and therefore there may be an additional pressure placed upon on street car parking. On street parking would appear to be limited in this location, with the northern side of new road subject to double yellow line and the southern side forming part of a controlled parking zone. However consideration needs to be given to the character of the area which is predominantly residential, along with the previous use of the site as office space. It would be difficult to argue that this development would create an increase in demand for parking over what the former office space once did. In addition to this the site is also within walking distance of alternative methods of transport such as bus and rail links.

From the information I have available to me there would be no highway safety concerns raised to this proposal. If the LPA are minded to approve this application a condition securing cycle parking should be included.

Comments on Consultation responses:

Comments noted, recommended condition to be included in conditional approval.

POLICY CONTEXT

Designation applicable to site:
Built-up area boundary
Flood Zone 3

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPC1 SEPH3 SEPSCT6 SEPT4	Sustainable Development Affordable Housing Affordable Housing Parking
Arun District Local Plan:	GEN2 GEN7 GEN11 GEN10 DEV17	Built-up Area Boundary The Form of New Development Inland Flooding Tidal Flooding and Coastal Defence Affordable Housing

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

XXX6	Interim Affordable Housing Policy
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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 conflict with relevant Development Plan policies in that it does meet the objectives of the Councils Affordable housing policy.

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 application seeks permission for the change of use of premises from an office to a single residential property. The proposal does not result in any alterations to the appearance of the building which appears within a terrace of predominantly 2 storey residential dwellings. As such there would be no impact upon the traditional appearance of the building nor the existing terrace.

The existing building is sited within a terrace of residential properties therefore such a use is considered to be acceptable within this location. Whilst no parking provision is made, the proximity of the property in terms of local services and public transport and the nearby town centre means that the site is within a sustainable location. This together with the provision of secure cycle parking will provide a choice means of transport options as well as nearby services thereby minimising the need for a private car.

The residential use also means that whilst the dwelling would be classified as being at greater risk from flooding than that of the office use; the refuge provided by 1st floor accommodation is acceptable in the case of a flood event. This means that no objection has been made by the Environment Agency or the Councils Engineers Department.

The proposal seeks permission for the change of use of the office premises to residential accommodation, therefore in accordance with the Councils Interim Affordable Housing Policy; a S106 Legal Agreement is required to accompany the approval of this application. However the applicants have not instructed a draft of a legal agreement nor have they confirmed that they will be willing to enter into an agreement to secure the required affordable housing contribution of £1,876. The proposal therefore fails to meet the necessary requirements of the Councils Affordable Housing requirements and the application is thereby refused for that reason.

HUMAN RIGHTS ACT

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 (insert number and description) 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).

RECOMMENDATION

REFUSE

- 1 The proposed development fails to make an adequate contribution towards affordable housing provision and is thereby contrary to the aims and objectives of the Council's interim affordable housing policy adopted on 18 August 2010.