

**Recommendation Report for Planning Permission**

**REF NO:** LU/50/13/

**LOCATION:** Coopers Store  
6 Norfolk Road  
Littlehampton

**PROPOSAL:** Alterations to shopfront

**SITE AND SURROUNDINGS**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION  | The proposal will involve the moving forward of the existing shopfront to abut the pavement and for the replacement of existing swing doors with electronic sliding doors. Additional mullions to reduce large expanses of glazing.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| SITE AREA                   | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| RESIDENTIAL DEVELOPMENT DEN | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| TOPOGRAPHY                  | Sloping gently upwards from north to south.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| TREES                       | None of any significance affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| BOUNDARY TREATMENT          | The shop front faces directly onto the pavement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| SITE CHARACTERISTICS        | The ground floor shop is housed within two formerly separate buildings which were knocked through to form one. The first building is single storey with a high gable roof which contains a dormer. The other is a two storey building with bay windows at first floor level, this building also has a steep gable roof which contains a dormer window. Both buildings have red brick elevation walls above ground floor level to the front. The ground floor of the building has a full width shop front which has green painted tiled steps and green wooden window frames on angled windows. There is a full length fascia sign above the ground floor windows which advertises the shop. |
| CHARACTER OF LOCALITY       | The site is located within a road which is characterised by a mixture of mature buildings, predominantly two or three storeys in height. There is a cluster of shops at the southern end of the street whilst the remaining buildings are generally used for residential purposes. There is a public house directly opposite the site.                                                                                                                                                                                                                                                                                                                                                      |

**RELEVANT SITE HISTORY**

LU/169/08/

Replacement of shop front glazing

Approve Conditionally

14-08-2008

Previous approval not implemented.

#### REPRESENTATIONS

**Representations received:**

Littlehampton Town Council

- No objection

**Comments on Representations received:**

Noted

#### CONSULTATIONS

Conservation Officer

**Consultations responses received:**

Nil

**Comments on Consultation responses:**

Noted

#### POLICY CONTEXT

Designation applicable to site:

Within Conservation Area

Within Built-Up Area

#### DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)  
[AREA2](#)

The Form of New Development  
Conservation Areas

#### PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

#### POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character of the Conservation Area.

The Development Plan consists of the Arun District Local Plan 2003, adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

#### 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.

Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:-

With respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Conservation 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 proposed works will involve an alteration in the appearance of the front of the existing building at ground floor level and therefore it will have a visual impact upon the street scene. It is noted that there is a shop with similar frontage to that proposed attached to the shop in question and there are also other shops nearby. It is therefore considered that, whilst the proposal will make a visual impact it will not be one that will be detrimental towards the character and appearance of the street scene.

It is considered that the proposed works will relate sympathetically towards the existing building in terms of design and scale. The built line will not advance any further onto the pavement. The replacement of the current angled windows with flush glazing is considered to be acceptable. The new sliding door will be fully glazed in keeping with the current swing door and so the change in appearance it will produce will be subtle. The smaller panes of glass that will be used on the proposed new shop front will be similar in appearance to those surrounding it and therefore have neutral effect on the character and appearance of the conservation area.

The proposal will not lead to any increase in overshadowing, overlooking or overbearing towards neighbouring residents as the footprint and height of the building will not increase and the proposed new windows will be roughly in the same position as those they will replace.

It is therefore considered that the planning application should be approved, 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 for 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**

In assessing this proposal a positive impact has been identified upon those with a physical disability due to improved access into the site and improved circulation within the site. A neutral impact has been identified upon those people with the following protected characteristics: age, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

#### **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: 834/01/01/B dated 05/03/2013; 834/01/02 and 834/01/03 dated May 2008.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and AREA2 of the Arun District Local Plan.

- 3 **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: GEN7, AREA2

NATIONAL POLICIES: National Planning Policy Framework

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

- 4      INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.