

Recommendation Report for Planning Permission

REF NO: LU/58/20/PL

LOCATION: Citizens Advice Bureau
14-16 Anchor Springs
Littlehampton
BN17 6BP

PROPOSAL: Change of use from Citizens' Advice Bureau (Use Class A2) to Veterinary Clinic
(Use Class Sui Generis)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	129 sq.m.
SITE CHARACTERISTICS	A purpose built shop unit with offices above and parking to the rear.
CHARACTER OF LOCALITY	Littlehampton town centre.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Environmental Health
Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

ADC Economic Regeneration - Support

ADC Environmental Health - requested an acoustic report to address noise issues

COMMENTS ON CONSULTATION RESPONSES:

It is considered that due to the town centre location of the proposed veterinary surgeon with no residential units above the shops that an acoustic report is not necessary for this application. An application to change the use to residential would be required when issues around noise would be addressed. At this

stage building regulations would be sufficient to address any intrusive noise transmission to 1st floor users.

POLICY CONTEXT

Designation applicable to site:
WITHIN BUILT UP AREA

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
RETDM1	RET DM1 Retail development
RETSP1	RET SP1 Hierachy of Town Centres
TSP1	T SP1 Transport and Development
QEDM1	QE DM1 Noise Pollution

[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

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

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

Policies 1 and 2 of the Littlehampton Neighbourhood Plan are considered relevant to 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 no adverse impact on the character of the area or the residential amenity of any nearby residential units would be affected.

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

In this case the main policies are D DM1, RET DM1 and QE DM1

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy RET DM1 and RET SP1 sets out appropriate uses within the Town Centre

Policy QE DM1 sets out how noise generating development should be addressed.

DESIGN

The proposal does not involve any external works and the commercial use proposed would fit in with the character of the area as a town centre location. Therefore is considered to have an acceptable impact on the character of the area in accordance with policy D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

As no built form is proposed there would be no impact on residential amenity due to any new built form however its impact on noise is addressed below and the proposal complies with policy D DM1 in this respect.

NOISE POLLUTION

The proposed use is located in the town centre of Littlehampton with residential uses some 40 metres away on Duke Street. Due to the limited nature of the enterprise proposed, the background noise and distance of residential properties from the site it is not considered to be any significant impact of potential noise pollution on any nearby residential properties. The proposal is considered to comply with policy QE DM1 in this respect.

RETAIL

Policy RET SP1 promotes a range of activities in Town Centres that promotes economic resilience for the vitality of them. RET DM1 does not address sui generis uses however as the veterinary practice would replace an A2 office use it is not considered that the proposal would cause a loss of retail uses within the Town Centre. The proposal is therefore considered to comply with policies RET SP1 and RET DM1 of the Arun Local Plan.

PARKING

The Arun Parking Standards Supplementary Planning Document does not have a section for sui generis uses. The property has 2 parking spaces to the rear of the premises and ample facility for public parking near to the site serving the city centre. The proposal is therefore considered to comply with policy T SP1 of the Arun Local Plan.

CONCLUSION

The proposal is considered to comply with the policies of the Local Development Plan and 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

Proposed Ground Floor Plan Dwg.no. 1927-04B dated 13/03/2020

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