

Recommendation Report for Planning Permission

**REF NO:** LU/64/25/PL

**LOCATION:** The Flat  
9 St Catherines Road  
Littlehampton  
BN17 5HS

**PROPOSAL:** Change of use of second floor rooms from residential C3 to office E. This application is in CIL Zone 4 (Zero Rated) as other development.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application seeks to change the use of the second floor of the property from residential (Class C3) to offices (Class E).
SITE CHARACTERISTICS	The site is a second floor flat within a three storey detached building.
CHARACTER OF LOCALITY	The property is located close to the centre of Littlehampton. Properties in the area are in a range of residential uses, and there is a large area of public open space to the front of the property.

**RELEVANT SITE HISTORY**

LU/350/11/	Change of use from rest home (C2) to offices in Class B1(a) with part residential accommodation	ApproveConditionally 07-02-12
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Planning history noted.

**REPRESENTATIONS**

Littlehampton Town Council - No objection.

No representations were received from nearby occupiers.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted.

**CONSULTATIONS**

**CONSULTATION RESPONSES RECEIVED:**

Environmental Health - No objection.

Economic Regeneration - No response received.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

**POLICY CONTEXT**

Flood Zone 3.  
 Locally Listed Building.  
 Area of Character.  
 Built Up Area Boundary.  
 Article 4.

**DEVELOPMENT PLAN POLICIES**

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM4	HER DM4 Areas of Character
SDSP2	SD SP2 Built-up Area Boundary

[Littlehampton Neighbourhood Plan 2014 Policy 17](#) Buildings and Structures of Character  
 Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

**SUPPLEMENTARY POLICY GUIDANCE:**

SPD11	Arun Parking Standards 2020
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**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

**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 provides office space within a town centre location.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
  - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
  - (b) any local finance considerations, so far as material to the application, and
  - (c) any other material considerations.

#### **OTHER MATERIAL CONSIDERATIONS**

There are no other material considerations to be weighed in the balance with the Development Plan.

#### **BIODIVERSITY NET GAIN**

This application is not liable for Biodiversity Net Gain (BNG).

#### **CONCLUSIONS**

##### **PRINCIPLE**

The site is within the Built-up Area Boundary as set out in the Arun Local Plan (ALP). The key Development Plan policies relevant to this application are D DM1, D SP1, EMP DM1, HER DM2, HER DM4 and T SP1 of the Arun Local Plan.

Littlehampton has a made Neighbourhood Plan. Policy 2 is relevant and the proposal complies with this, being within the built up area boundary. Policy 17 is also relevant, as it refers to locally designated heritage assets.

##### **OFFICE SPACE AND LOSS OF RESIDENTIAL ACCOMMODATION**

The proposal seeks to create an additional 41 sqm of office space. Policy EMP DM1 states that development of office space should be directed towards existing town centres. The site is within Littlehampton town centre, and seeks to provide additional office accommodation within a building which already houses 238sqm of office space.

The proposal will result in the loss of a single residential unit from the town centre. It is noted that the unit is currently accessed from within the building, the majority of which is used as office space. The application states that the residential unit also shares some facilities with the office space. It is noted under the previously approved application reference LU/350/11/PL that the residential accommodation was restricted by condition to be used in as ancillary accommodation to the office space, and not as a separate residential unit. Although the proposal results in a loss of residential accommodation, the loss of this single unit will not have a significant impact on the housing land supply within the District, and the proposals support economic growth within the town centre, which is also supported by the Local Plan.

##### **DESIGN AND VIUSAL AMENITY**

The proposal will not result in any external or internal changes to the dwelling. As there are no alterations proposed to the dwelling within this application, only the change in the use of part of the space within the building is considered.

The proposal seeks to provide 41sqm of additional office space within a building which is already largely

occupied by office space. As most of the building is already within Class E use, the additional office space would not result in a significant change to the occupation of the site as a whole. The provision of additional office space in this location would therefore be in keeping and would not cause harm to the prevailing character of the area.

The proposal does not result in any change to the scale, design or visual appearance to the property and is acceptable in accordance with Policy D DM1(1) of the Arun Local Plan.

#### **NEIGHBOURING RESIDENTIAL AMENITY**

The proposals remove residential accommodation from the building, and increase the amount of office space. The provision of increase office space will not result in increased noise or disturbance, and the environmental health officer has raised no objections to the proposal. There are to be no external alterations to the property as a result of the change of use.

The proposal would not result in harm to the amenities of neighbouring occupiers and as such, it is in accordance with policy D DM1(3) of the Arun Local Plan.

#### **HERITAGE**

The site is a locally listed building and within an area of character. The proposal results in no alterations to the external appearance of the property. Given that most of the building is already used as office space, the increase in office space proposed by this application will not have any adverse impact on the character of the property or area.

The proposals will not harm the character of the locally listed building or area of character, in accordance with Arun Local Plan policies HER DM2 and HER DM4.

#### **TRANSPORT AND PARKING**

The Arun Parking Standards Supplementary Planning Document (SPD) states that for buildings in former use class B1, one parking space should be provide for every 30sqm of space. This would mean that a total of 8 spaces should be provided for the office space within the building. There is currently parking provision on the site, although this would fall short of the recommended provision for both the current and proposed amount of office space. Given that the site is sustainably located within the town centre, within close proximity of the railway station and several bus routes, the under-provision of parking is acceptable in this instance. There is also a substantial amount of on street parking available in this locality.

The part change of use will not significantly increase traffic or affect the existing arrangements for parking or vehicular access onto the site.

The part change of use will not result in adverse harm upon the highway and the proposal accords with policies T SP1 of the Arun Local Plan and with the guidance on highway safety within the NPPF.

#### **FLOOD RISK**

The site is within National Flood Risk Zone 3, and prone to groundwater flooding. The proposed change of use from residential to office space reduces the vulnerability of the building to flood risk. The proposal is therefore in accordance with policy W DM2 of the Arun Local Plan.

#### **SUMMARY**

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions.

<b>HUMAN RIGHTS ACT</b>
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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**

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.

#### **CIL DETAILS**

This application is not CIL liable.

#### **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:

- Location and Block Plans, Second Floor Plan Rev B.

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

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as

amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.