

Recommendation Report for Planning Permission

REF NO: LU/76/19/PL

LOCATION: 3B Pier Road
Littlehampton
BN17 5BA

PROPOSAL: Replacement shopfront. This application may affect the setting of listed building & may affect the character & appearance of the Littlehampton (River Road) Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace the existing shopfront. Visually, the difference is that the existing front uses four separate glass panels, with fenestration bars. The proposed is a single pane of glass.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	The shop fronts directly adjacent to the pavement.
SITE CHARACTERISTICS	The site is populated by a retail unit.
CHARACTER OF LOCALITY	The area is populated by a mix of building designs and styles.

RELEVANT SITE HISTORY

LU/24/04/	Change of use from office use to retail use	ApproveConditionally 04-03-04
-----------	---	----------------------------------

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No objection.

The property is located on a busy road, on what could be described as the edge of the town centre. It forms part of a group of other shops with retail on the ground floor and residential uses above. The property is a two storey, flat roofed building that fronts directly onto the narrow pavement. The ground floor elevational treatment consists of painted render (with various signs and a large shop front), and the first floor of painted brick, with two windows.

The property is located near a number of listed buildings, locally listed buildings and a conservation area. The conservation area was developed in a number of stages during the first half of the 19th Century, with a significant amount of redevelopment in the late 20th Century. It has an urban character to it, evident in the presence of town houses/apartments which front directly on to the pavement.

The closest listed building is a terrace of late C18 houses. This building sits almost opposite the application site, but at right angles to it; the front, more imposing elevation being constructed from brick, faces away from the application site. The side elevation (which fronts the application site) is constructed from coursed flint.

The locally listed buildings are constructed from flint, and take the appearance of simple, terraced cottages. The surroundings of both of these asset types is urban, fairly high density with heavy pedestrian and vehicular traffic passing by.

The application relates to a replacement shop front in the front elevation of the building. The proposal is for the glazing to be simplified, but the overall impression is that the new shop front appears similar to the existing design.

As a consequence, it is considered that, whilst slightly different from the existing design, the replacement shop front will not harm the character of the area, or the neighbouring heritage assets. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

I note that there does not appear to be any information related to the colour of the new shop front, and this could be supplied by way of condition, if you are minded to approve the application.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Adjacent to Conservation Area
Adjacent to Listed Building

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
SDSP2	SD SP2 Built-up Area Boundary

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:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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

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).

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 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, preserving its appearance.

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policy is deemed to be D DM1 of the Arun Local Plan. Additionally, Policy 1a of the Ferring Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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 HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, proposals should protect the setting of these buildings.

Policy HER DM3 ensures that development will only preserve or enhance the character of the Conservation Area of which they area within, or affect the setting of.

DESIGN AND VISUAL AMENITY

The site is located in what is considered to be in the town centre of Littlehampton. There are a variety of other retail uses within the area, as the application site forms part of a parade of shops. The proposed alteration is considered to be of a very minor scale, and therefore, has no significant impact upon the character of the area.

NEIGHBOURING AMENITY

The proposed development does not constitute any change to the intensification, or business use of the site. Therefore, given the light construction of the proposed alteration, there is not considered to be any significant impact upon the amenities of neighbouring buildings.

SUMMARY

The proposal is considered to comply with relevant development plan policies, and as such, 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

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:

- Existing and Proposed Details - 2019/27 - Sheet 1 of 1 - February 2019

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.