PLANNING APPLICATION REPORT

REF NO: **M/50/09/**

LOCATION: 35 Elmer Road
Middleton

PROPOSAL: Installation of 2 x New Air Conditioning Units mounted to the rear elevation & the installation of a new white anodised aluminium shop front with a new automatic assisted door and new external security shutter

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The project involves the refit of a vacant ground floor retail unit with associated new shopfront for a 'One Vision Pharmacy'
SITE AREA	107 sq.metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat with two steps leading up to shop forecourt area.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open plan with a dwarf wall and steps on front curtilage.
SITE CHARACTERISTICS	An existing parade of two retail units in the village centre of Middleton. They are currently vacant and carrying estate agent and health and beauty signage. Two floors of residential and office space above.
CHARACTER OF LOCALITY	There are a number of other shops in operation nearby on the application site side of Elmer Road. Opposite the site is a health centre set amongst the village sports fields/playground and hall with an associated car park. Next to the car park is a two/three storey McArthy and Stone development known as Buckingham Court. To the rear of the site is a two storey development of terraced properties(known as Nicholas Court)with a related car park to the front.

RELEVANT SITE HISTORY

M/1/60/ADV	To replace existing sign	Apprvd/Cond ADV 21-12-1960
M/73/68/A	Internally illuminated electric sign	Refused 18-09-1968

M/66/69/A	Painted advertisements	Refused 19-11-1969
M/75/75	Change of use to dental surgery and extension to ground floor premises	Approve Cond 28-01-1976
M/53/77	Change of use ground floor from restaurant to ceramics etc - retail shop	Approve Cond 05-10-1977
M/23/78	Demolish lean-to and construct office for existing shop	Approve Cond 31-05-1978
M/99/80	Change of use from shop selling ceramics to Insurance brokers	Approve Cond 12-11-1980
M/75/86/ADV	One illuminated projecting box sign	Apprvd/Cond ADV 01-10-1986

REPRESENTATIONS

Representations received:

Middleton Parish Council

No objection.

1 letter of neighbour support. The alterations to this unit will be in line with alterations carried out to other retail premises and will therefore not be seen as an anomaly. It is ideally located near the village centre and Avisford Health Practice with a free car park and pedestrian crossing. This will replace a much needed pharmacy in the area.

Comments on Representations received:

Noted. However, whilst the pharmacy use is supported it is a use which could change to another and different retail use without permission being required.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area boundary
Class C road

DEVELOPMENT PLAN POLICIES

South East Plan:		
Arun District Local Plan:	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development

POLICY COMMENTARY

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

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.

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

Visual and Residential Amenity
2 Proposed Condensers
These are going to have minimal impact on the character of the area given their size(0.75 square metres) and location at the rear of the premises (0.5 metres and 1.5 metres from ground level). They will be affixed to the rear wall where it meets the single storey rear projecting shop extension which will provide the condensers with even more seclusion. They will be side on some 25 metres away from the nearest residential properties in Nicholas Court. This line of view is screened by some landscaping in the car park.

There will therefore be no prejudicial impact on both the visual and residential amenities of the neighbouring area from the proposed condensers.

New Shopfront
The present tardy shopfront and forecourt appearance of these two units is considered to be detrimental to the visual and residential amenity of the locality. The proposed resurfacing and levelling of the forecourt area will be a visual improvement which will also assist those with a physical disability. Whilst a security shutter design is not an ideal addition to the street scene it is needed given the type of goods on sale and will affect the evening and nightime period only.

It is considered that the proposed works at the front of the premises will bring about improvements to the residential and visual amenities of the area.

It is therefore recommended that planning permission should be granted subject to the following

conditions.

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 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls of the proposed new shopfront and roller shutter have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the new shopfront.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the area in accordance with policy GEN7 of the Arun District Local Plan.

3 INFORMATIVE: Notwithstanding that advertisement signage details are indicated upon the submitted plans, this signage may need to be submitted to and agreed in writing by the Local Planning Authority as a separate advertisement application.

4 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.