

PLANNING APPLICATION REPORT

REF NO: AB/23/19/PL

LOCATION: 67/69 Tarrant Street & 2A Arun Street
Arundel
BN18 9DN

PROPOSAL: Conversion & change of use of retail unit (A1 Shops) to 2 No. residential units (C3 Dwelling houses). This application affects the character & appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The proposal is to convert the current retail unit, spanning across 67 and 69 Tarrant Street, back to its original form. 2 x 2 bedroom flats will be created at ground floor and basement sub floor levels. The concept is to convert the premises by utilising a significant part the existing shop front including the two entrance door locations, the signage and cornice mouldings.</p> <p>The proposed alterations are internal and external. New elements of brickwork would be in stock brickwork to match the existing and would be fully bonded and toothed to the existing retained areas.</p> <p>The external fenestration alterations are limited to modifications to the existing shop front to separate the two halves of the retail unit.</p> <p>The shop front lower sill would be reduced in height and the later modern louvred fanlights removed. Brickwork would be introduced between the two retained elements of the shop front. Two lower sub floor openings would be altered to provide a recessed bin area and windows added to 67 Tarrant Street / 2A Arun Street on the Arun Street elevation with two arched openings and windows inserted to the basement rooms facing Tarrant Street.</p>
SITE AREA	142 sq m.
RESIDENTIAL DEVELOPMENT DENSITY	14 dwellings per hectare.
SITE CHARACTERISTICS	<p>The building, located within the Arundel Conservation Area, is currently vacant is located on the southern side of Tarrant Street on the western side of the junction to Arun Street opposite the Kings Arms Public House.</p> <p>67-69 Tarrant Street is a three storey building fronting north</p>

onto Tarrant Street with a lower basement/sub ground floor extending the full depth of the site which extends from a full basement on the frontage to a full non basement height at the rear as the ground levels drop significantly down Arun Street from north to south. The rear lower ground floor workshop area is 2A Arun Street.

67-69 Tarrant Street is a painted brick structure under a slated roof with sliding sash windows and secondary casement windows in Georgian and Victorian styles.

There are a number of modern openings inserted within the east elevation which relate to the 1980's conversion of the upper floor to flats.

CHARACTER OF LOCALITY

Edge of town centre. The eastern end of Tarrant Street comprises a significant number of retail and food and drink outlets with an element of residential accommodation over. The density of the retail and food and drink outlets reduces in a westward direction with residential dwellings predominating at the western end of Tarrant Street.

RELEVANT SITE HISTORY

AB/96/83	Change Of Use Of Flat Above Existing Shops To Offices	ApproveConditionally 31-08-83
AB/22/87	Change of use from shop to two shops and one office at ground floor with storage & workshop at basement level. Conversion from maisonette to two flats.	ApproveConditionally 28-04-87
AB/57/67	Modernisation Of Shop Front	Approve 28-03-67

The principle of conversion to residential dwelling units is established in Tarrant Street with several retail units within close proximity of the site being previously converted. The first and second floor of the property have already been converted to residential units without permission.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Objection.

The continual erosion of retail uses would undermine the vitality and viability of the Arundel shopping experience and unless there is robust evidence that the use of the premises is no longer viable for a

commercial use, the application should be refused.

Four Objections.

- This is a significant site in terms of the character of the town, and it is hard to see how premises clearly built for commercial purposes can be made suitable for residential use without drastic changes to the ground floor elevations.
- There is an issue, concerning the abandonment of retail and commercial activity in the town, in favour of purely residential development. There are persuasive economic reasons for this, but the rationale for a Conservation Area is precisely that other, environmental factors should be considered.
- The applicant might consider the replacement of the two existing inappropriate modern doors containing fixed fanlights and located on the north and east elevations with more appropriate painted 4-panel timber doors which would add further enhancement to the appearance of the buildings.
- Object to any change to the existing planning use or status of the flat roof. The use of the flat roof as a roof terrace would cause an unacceptable detrimental impact on the residential amenity of neighbouring property by reason of loss of privacy and the potential for noise disturbance.
- Concerned by the outside appearance in what is a protected street scene. Unless the existing shop windows are to be preserved, the owner will need to have a very experienced architect in order to respect the fenestration of neighbouring Listed Buildings.

COMMENTS ON REPRESENTATIONS RECEIVED:

The site is not located within the defined Arundel town centre boundary and is not a Primary or Secondary retail frontage as defined in the Arun Local and Neighbourhood Plans. Policy RET SP1 'Hierarchy of Town Centres' of the Arun Local Plan only applies in respect of the section which requires town centres to be maintained and supported in their role of providing retail, commercial, tourism and residential development.

Policy RET SP1 does accept that residential uses are a component of town centre uses.

The agent has advised the neighbour that it is not intended that the development will affect the flat roof.

An Informative has been added to the decision clarifying that the decision does not include any alterations in this respect and that they would require planning permission and submission of a separate application if a change was to take place.

CONSULTATIONS

Economic Regeneration

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Economic Development - No Objection.

Whilst Economic Development is reluctant to lose retail space in any location we accept that this is outside the main retail area for Arundel and, as such, footfall is likely to be lower making it more difficult to sustain a successful business. On that basis Economic Development has no objection to this application.

Conservation Area Advisory Committee - No Objection.

The buildings are located in a very prominent corner position at the junction of Arun Street with Tarrant Street. As such they make a positive contribution to the townscape and, therefore, also to the appearance of the Arundel Conservation Area.

The site lies outside the principal shopping area of Arundel as indicated in the Arun Local Plan 2018, and in tandem with the views expressed by Arun's Economic Generation Unit, it is considered that no objections can be raised to the principle of a change of use from retail to residential.

The proposed alterations to the buildings appear to be satisfactory and will actually enhance the appearance of the east elevation. It is suggested that a condition be attached to any planning permission requiring details of all new joinery, including operating mechanisms, and samples of brickwork and the colour of its repainting.

Conservation Officer - No Objection subject to conditions requiring submission of details of windows.

The proposal to change the use to residential will result in the loss of another retail element in the street. However, there is still a significant amount of retail units further to the east in a more prominent part of the street. The proposed use will reflect the established character for this part of the Conservation Area and is acceptable.

The subdivision of the property into two units reflects a historic division, whilst the internal alterations are such that they do not harm the established character of the building. It is good to see the former ground floor retail spaces remaining as 'open-plan'.

The key area of the proposal is the replacement shop front which has been altered and the proposed replacement will reflect the character of the building. It is considered that the replacement windows will not harm the building, but that their success in terms of respecting the building and local area, will be related to the quality of the materials and the detailed design issues. These details should be controlled by condition.

The proposed replacement of the windows on the eastern elevation is supported as it will remove those of a modern, inappropriate appearance.

The new windows located at the front elevation (at basement level) will not harm the building.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions requested by Conservation Officer have been imposed.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Within Conservation Area
Outside Town Centre Boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas

HERSP1 HER SP1 The Historic Environment

Arundel Neighbourhood Plan 2014 POLICY 1:	The Presumption in Favour of Sustainable Development
Arundel Neighbourhood Plan 2014 POLICY 2:	A Spatial Plan for the Town
Arundel Neighbourhood Plan 2014 POLICY 14:	Arundel Town Centre

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 Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Arundel Neighbourhood Plan has been made and the relevant policies have been considered in the determination of this application. It is noted that Arundel has an emerging Neighbourhood Development Plan, of which Policy AR1 is relevant. The emerging plan is currently undergoing a consultation exercise between the 17th July and 28th August 2019 as per Regulation 16. At this point the policies within the emerging plan have limited limited weight.

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 impact upon the established character of the surrounding area, the appearance of the Conservation Area or the function of the town centre or primary shopping frontage.

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 key policies are D DM1, D DM4, RET SP1 and HER DM3 of the Arun Local Plan. Additionally, Policies 1 & 2 of the Arundel Neighbourhood Development Plan apply.

Arun Local Plan (ALP)

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

Policy D DM4 sets out criteria against which applications relating to extensions and alterations of existing buildings will be assessed. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HER DM3 states that consent will be granted for proposals that preserve or enhance the character and appearance of the Conservation Area.

Policy RET SP1 states that the hierarchy of Town Centres will be retained. Arundel is to maintain its existing role as a service centre providing both a range of shops and services for the local population and fulfilling a role as a tourist and visitor destination.

Arundel Neighbourhood Plan (ANP)

Policy 1 The Presumption in favour of Sustainable Development states planning applications which accord with the policies in the Neighbourhood Plan will be approved, unless material considerations indicate otherwise.

Policy 2 A Spatial Plan for the Parish states that the Plan requires future housing, economic and community-related development within the parish to be located in the town centre to bolster and build its role as a resilient town community.

Policy 14 Arundel Town Centre. The Plan designates a Primary and a Secondary Shopping Frontage, but the site does not fall within this area. This policy is not therefore relevant.

Emerging Arundel Neighbourhood Plan (EANP)

Policy AR1 Arundel Built Up Area Boundary

The Neighbourhood Plan defines the Built Up Area Boundary of Arundel, as shown on the Policies Map, for the purpose of applying policies SD SP2 and C SP1 of the Local Plan.

Policy AR4 Town Centre

The provisions of the Local Plan (Policy RET DM1) will be supported when considering proposals for the change of use along the primary and secondary shopping frontages in the town centre. Proposals for the temporary use of empty shop premises for start-up retail businesses or other forms of 'pop-up' shops in a designated Primary and Secondary Shopping Frontage will be supported.

VIABILITY AND IMPACT ON TOWN CENTRE

The site has been used as a single retail unit by Arundel Interiors, for approximately 4 years. The ground floor has been used as retail whilst the basement/sub ground floor areas have provided a further retail area, storage, shop office, workshop and kitchen/WC facilities.

Arundel Interiors ceased trading in January 2019 and the retail units at ground and basement floors to both 67 and 69 Tarrant Street underwent a necessary refurbishment with a view to re-letting the property as either a single retail unit or as two separate retail units.

The defined Town Centre Boundary extends approximately one third along Tarrant Street and excludes

the application site. The defined Primary Retail Frontage extends to this same point along Tarrant Street ceasing on the eastern side of Brewery Hill Lane. The application site is outside of this designated area.

There are a small number of retail units located along Tarrant Street in close proximity to 67-69 which have been converted to residential use as well as a clinic and a gallery. There are also former retail uses, such as Sparks Yard where retail uses have failed. This is further evidence of the lack of demand for retail units within this location.

The premises are suitable for conversion to residential use given the building's location within Arundel and its proximity to local services, transport and community facilities. This together with the location of the property outside of both the primary and defined secondary retail frontages in Arundel, further supports the proposal for conversion to residential units.

The main policy considerations relating to retail units and their loss are outlined in policy RET DM1 of Arun Local Plan. However, this policy is not relevant to the consideration of this application as it applies to the reuse of redundant floor space to sites in locations not including that of the application site.

The only retail policy which applies to this application is RET SP1 Hierarchy of Town Centres which requires that Arundel maintains its existing role as a service centre providing both a range of shops and services for the local population and fulfilling a role as a tourist and visitor destination. Given the location of these retail uses outside the boundary of the designated retail frontages, their loss would not significantly impact on this role. The National Planning Policy Framework (NPPF) para 85(f) recognises that residential development often plays an important role in ensuring the vitality of town centres.

In relation to the Neighbourhood Plan the proposal falls outside the area defined as town centre and is not designated as a primary or secondary retail frontage. Residential use would bolster the function of the town centre in accordance with policy 2A of ANP.

In terms of marketing, none has been undertaken as following the review of the current policies relating to the loss of retail space and the location of the premises outside of the primary and secondary retail frontages marketing is not a requirement.

HERITAGE ISSUES

The application does not include a Heritage Statement. A Design and Access Statement submitted does refer to heritage assets and the character of the area generally and the impact that the proposed changes would have on these assets in accordance with the requirements of the National Planning Policy Framework paragraph 189. The statement sets out the significance of the asset sufficiently to enable the assessment required under para. 190.

Whilst not Listed the application building does contribute positively to the character and appearance of the historic core of the town centre and the Conservation Area.

It is intended that the alterations to the shop front would be in a similar style and design to match the existing mouldings. The new joinery items comprising the replacement entrance doors, new basement windows and new windows to the side elevation of 67 Tarrant Street will all be in a sympathetic style following traditional sections and moulding to match as closely as possible the existing joinery on site. A condition requiring submission of details is suggested.

The changes to windows would not have a significant impact upon the character of the host property within the street scene, or the established character of the Conservation Area. The proposed alterations to the buildings will enhance the appearance of the east elevation.

Details and finishes will need to be of a high standard, appropriate to the age of the buildings and their location within a conservation area. In accordance with the Conservation Officer's advice a condition is suggested requiring the submission of precise details of all new joinery, including operating mechanisms, samples of brickwork and the colour of its over painting.

Therefore, with the suggested conditions controlling precise detail the proposed alterations are considered to preserve the characteristics of the Conservation Area, and have no detrimental harm on the established character of the building or its locality in accordance with paragraph 90 of the NPPF. The proposed works are therefore deemed to be in accordance with HER DM3 of Arun Local Plan.

DESIGN AND VISUAL AMENITY

The alterations to the building are considered to be in keeping with the character of the building. The shape of the modified openings would reflect those of others in the existing building and the age of the building. The amended shop front openings still maintain a positive appearance in the street scene and retain the proportions of a shop front as a historic reference. Whilst the precise design and profile of the new windows is to be controlled by condition they would be similar to other openings in their proportions and would accord with policies D DM1 and D DM4 of Arun Local Plan.

RESIDENTIAL AMENITY

The proposed alterations retain the same footprint as the existing building, and are therefore not considered to result in any significant change in overbearing or overshadowing impact on neighbouring dwellings. There are no new openings that form part of this proposal, which is considered to preserve the existing level of privacy within the area.

The application is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

With regard to internal space standards the proposal relates to a gross internal floor area of 65m² for the 2 bed 3 person unit and 101sqm for the 2 bed 4 person unit. These proposed floor areas comply with the requirements as set out within the Nationally Prescribed space standards.

SUMMARY

The proposed development is deemed to accord 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

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:

820/PL01 revD Proposed Elevations and Floor Plans.

820/501 revA Survey as Existing, Location and Block Plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

3 No external alterations shall take place unless and until a schedule of materials and finishes to be used for new areas of brickwork and brick arches and over painting have been submitted to and approved by the Local Planning Authority and the materials and painting so approved shall be used in the construction of the brickwork.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DDM1 of the Arun Local Plan.

4 No new windows shall be installed or changes to the shop fronts shall take place until precise details of the new joinery including the dimensions, opening mechanisms, finish and profiles have been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To ensure that the internal and external appearance of the building is satisfactory in accordance with HER DM3 of the Arun Local Plan and the NPPF.

5 **INFORMATIVE:** The approval of this application does not purport to grant permission for changes to the flat roof area of the property which would require the submission of a separate application for planning permission.

6 **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.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website [by going to https://www.arun.gov.uk/weekly-lists](https://www.arun.gov.uk/weekly-lists) and entering the application reference or directly by clicking on [this link](#).

AB/23/19/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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