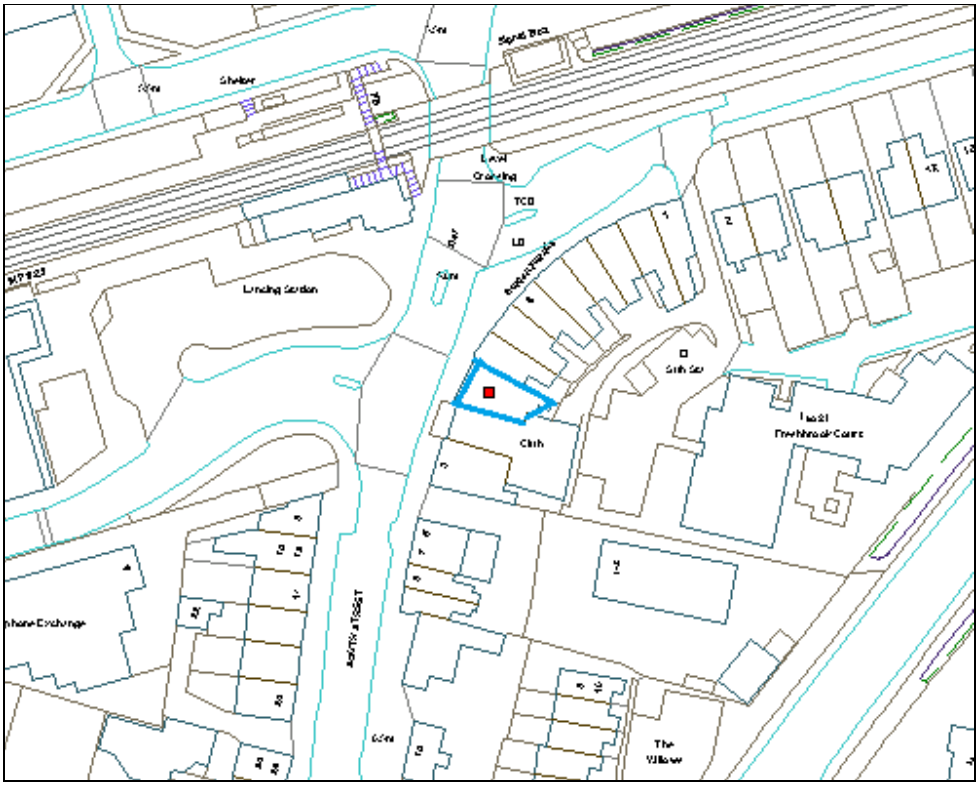
Application Number: AWDM/0926/13 **Recommendation – REFUSE**

Site: **9 Station Parade, South Street, Lancing, West Sussex BN15 8AA**

Proposal: **Change of use from A1 (retail) to taxi office**

Applicant: Mr Chris Nutley Ward: Widewater

Case Officer: Peter Barnett



Not to Scale

Reproduced from OS Mapping with the permission of HMSO © Crown Copyright Licence number LA100024321

Proposal, Site and Surroundings

The application property is a shop (Class A1) within Station Parade and which forms part of the former Luxor cinema. The premises are currently occupied by The Mobility Centre which sells mobility scooters but it is understood that the owner is winding the business down and is retiring soon.

The application is proposing to change the use of the premises from A1 to a taxi office (Sui Generis use). Customers will be able to book a taxi from the premises and wait within the building for it to arrive. There will be no taxis parked outside the premises (there are double yellow lines on the road).

Relevant Planning History

None relevant

Consultations

West Sussex County Council: No objection from a transport/highways aspect. This application is only for a taxi booking office and should not attract parking from taxis. There are enforceable restrictions to on-street parking to prevent any vehicle parking from occurring in inappropriate locations.

Lancing Parish Council: Committee supported the application and was pleased to see businesses moving into unoccupied premises in the village.

Representations

1 letter received from a resident in Lancing objecting to the application for the following reasons:-

- It is a shame for this prime site to be turned into a taxi office.
- In Lancing Vision it is regarded as part of the heart of the village and commands a good view for a retail outlet right opposite the station.
- Lancing has a taxi office already on the parade and there is a well-established rank and office outside the station and opposite the site.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AS1
Lancing Vision
National Planning Policy Framework (CLG 2012)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle and Policy

The site lies within Lancing Town Centre as defined on the Local Plan Proposals Map and saved Local Plan policy AS1 seeks to protect this site specifically for A1 and A3 use. The emerging policies of the Revised Draft Adur Local Plan also reflect this. The NPPF promotes the viability and vitality of town centres and advises that planning policies should make clear which uses will be permitted in such locations. Lancing Vision identifies this part of South Street as the Village Heart where main town centre uses (A1, A2, A3, A4) are encouraged. It refers to "resisting changes of use at ground floor level to office (B1) to avoid the loss of space for publicly accessible services that will enliven the streets." While this proposal is a non-B1 use, it is an office serving the public but which is not considered to have an 'enlivening' effect on the street.

The loss of a shop use without sufficient evidence to suggest that it is no longer viable for retail purposes is contrary to these policies.

The shop is currently in use and whilst the applicant indicates that the current occupier is to retire, there is no marketing evidence to suggest that reasonable attempts have been made to sell or let the premises for A1/A3 use.

The property agents have written in support of the application and have stated that the property was purchased over 5 years ago and was purchased to develop into flats. All three shops under their control had been let initially but recently Guardian Mobility requested to move out of the larger middle shop and occupy the adjacent smaller shop only as the business was contracting. The company that owned the building began to experience financial difficulty and the property was repossessed by the bank. Before the property was repossessed they tried to rent out the property but with little interest. During the time that the receiver controlled the property they could not find a suitable tenant either. There were a few enquiries but nobody wanted to sign a lease on the property.

No evidence of any marketing has been submitted or of any interest shown. It has consequently not been demonstrated that the shop, which is still occupied and contains mobility scooters, is no longer viable for retail purposes. The parade as a whole appears to be in a relatively healthy state with only one unit vacant (No.10). The rest are occupied by a mixture of A1, A2, A3 and A5 uses which are all considered to be appropriate for the area.

The proposed use would not present a particularly attractive or active frontage. It would be used as a call centre and administration office for booking a taxi and would have a few seats for waiting customers and a desk for taking bookings but little else to add interest or enhance the vitality or viability of the area. While it could be argued that the taxi service would help with transporting potential shoppers to and from the village centre, it would do little to enhance or strengthen the shopping function of this part of Lancing.

Accessibility and parking

No parking is possible on the site or in the street in front of the premises. The offices would operate by contacting the taxi cars which may already be out and about which would then stop outside the premises temporarily to pick up the customer. There is no highway objection to the application.

Recommendation

REFUSE for the reason:-

The proposed change of use from A1 to sui generis taxi office would have a detrimental impact upon the character, vitality and viability of the shopping function of the village centre of Lancing. The proposal is therefore contrary to saved policy AS1 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

2nd December 2013