Development Management – Delegated Officer Report

Application Number: AWDM/1655/23 Recommendation: APPROVE

Site: 11 Station Parade, South Street, Lancing, West Sussex

Proposal: Change of use from retail within old Class A1 as specified under AWDM/0969/17 to office use under new Class E.

Date of Site Visit: not visited used Google maps

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings

The application site is a ground floor commercial unit which is currently vacant and which was previously used by a pest control company who had the front section of the unit for retail purposes and the rear as office space. The site is located within Lancing Town Centre within the Primary Shopping Area and is allocated in the Adur Local Plan as being within the primary retail frontage block 3. It is one of the units at the Luxor Centre which include various commercial units, shops, hairdressers, food outlets and cafes, Lancing train station is nearby.

Consent is sought to change the retail use to office use. The proposed use for the building is for two charities, Electric Storm Youth and Adur Voluntary Action. The applicants have supplied detailed supporting information with regards to the use. The unit will be used as an office and administrative base for both organisations. It would also be used for meetings with staff, trustees and with groups of service users for planning and delivering activities. There will also be a level of interaction with the public in terms of a reception area where staff could greet members of the public who are seeking information about the charity's services.

Supporting information is also provided in relation to hours of operation. It is noted that this will be mainly 9am -6:30pm with some meetings being held until 9:30pm.

Consultations:

West Sussex County Council: The Highways Authority : - There is no parking and vehicular access in relation to the proposed development. The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network,

therefore is not contrary to the National Planning Policy Framework (paragraph 111) and that there are no transport grounds to resist the proposal.

Adur and Worthing Councils: Environmental Health: -

There are no EH comments on this application

Representations: - None received.

Relevant Planning Policies

Adur Local Plan 2017 Policy 9, 15, 27
National Planning Policy Framework (December 2023)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area and how the proposed change of use impacts upon the vitality and vibrancy of the Town Centre and commercial area.

Visual and residential amenity

The use and the occupier proposed will not give rise to any adverse impact with regards to any adjacent occupiers. This is a town centre location where commercial uses are alongside residential development. The hours of use are limited to 9:30pm and this is consistent with other permitted uses and within this location such activities are not unusual. There are cafes, takeaways and restaurants nearby as well as the supermarket and train station. A condition is attached for the hours of use and also the occupiers to ensure this will remain the case.

Impact of the Proposed Change of use upon the Town Centre

As stated above the site is within the Primary Shopping Area of Lancing Town Centre and primary retail frontage block 3. Policy 27 of the Adur Local Plan (2017) states that town centre uses will be permitted within the defined town centre boundaries. The policy goes on to require that development within the primary and secondary shopping frontages will need to be in accordance with the place based policies in Part 3 of the Plan.

Policy 9 of the Adur Local Plan (2017) which relates to Lancing sets out the acceptable ground floor uses within block 3 (subject to compliance with other relevant policies) as:
- A1 shops
- A3 (food and drink) and A4 (drinking establishments) and appropriate D1 (non residential institutions) uses where there is a long term vacancy and reasonable attempts have been made to sell or let the premises for A1 use.

The retail units at the Luxor Centre are controlled by condition 12 of AWDM/0969/17 which states:
Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), the ground-floor shop premises shall be used only for retail within Class A1 of the Town and Country Planning Use Classes Order 1987 as amended (or any Order revoking and re-enacting that Order with or without modification), and for no other use or purpose.

Despite that set out above, advice has been sought from the Planning Policy Team and the following is considered to be given significant weight in the determination of this application.

Since the above policies were adopted, there has been the introduction of changes to the Town and Country Planning (General Permitted Development) (England) Order 2015. Specifically the introduction in Use Class E which came into force in 2020 which now covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure), and puts them all into the one new use. The new use class includes a broad and diverse range of uses which principally serve the needs of visiting members of the public and or are suitable for the town centre area. In addition the current NPPF no longer includes reference to the designation of primary and secondary frontages. On the whole it is evident that the general intention is to provide more flexibility through a less prescriptive approach to land use.

Until the adopted Adur Local Plan policies have been reviewed, they are still in place, however, it is clear that the changes to the use classes order will carry more weight than the current Local Plan policies. Therefore it is considered that a flexible approach can be adopted here in terms of the proposed use change.

However given the location of the site within the Town Centre it is essential that any use provides an active frontage and generates pedestrian activity to ensure the vitality and viability of the town centre. Supporting information has been submitted and conditioned along with the proposed occupiers to ensure that this is the case.

A shop front would be retained with the shop window as currently exists. It would be a similar appearance to an estate agent's window displaying information to the public for various opportunities and activities. It is envisaged that due to its location and active frontage the public would be encouraged to enquire within the premises and interact with the proposed users. There would be seating within the reception area for this and also private meeting rooms available if necessary. The supporting document states that " We will create a clean and uncluttered shopfront that allows for both charities to showcase their volunteering and youth activities availability. There will be clear delineation between the reception area and the staff working area and private meetings. Therefore keeping the front window and reception area to a retail look and feel."

It is considered therefore that the change of use is acceptable and will contribute to the vitality of Lancing Town Centre and will benefit from its position within the commercial locality. Subject to safeguarding conditions as set out below.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. The premises shall not be open for trade or business other than between the hours of 09:00am and 9:30pm on any day and shall be closed at all other times.

   Reason: - In the interests of amenity and in accordance with Policy 15 of the Adur Local Plan.

4. The unit shall be occupied by Electric Storm Youth and Adur Voluntary Action only as an office within Class E (g) (i) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification). The active frontage and public interface of the premises shall be retained at all times as set out in the supporting document ADDITIONAL FOOTFALL INFORMATION received 23rd January 2024 unless otherwise approved in writing by the Local Planning Authority.

Reason: - To enhance the vitality of the town centre location and to accord with Policies 9 and 27 of the Adur Local Plan and the NPPF.

Is recommendation contrary to letter(s) of representation N

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.

Case Officer: Hannah Barker Date: 29th January 2024

Authorised by: Peter Barnett Date: 29 January 2024