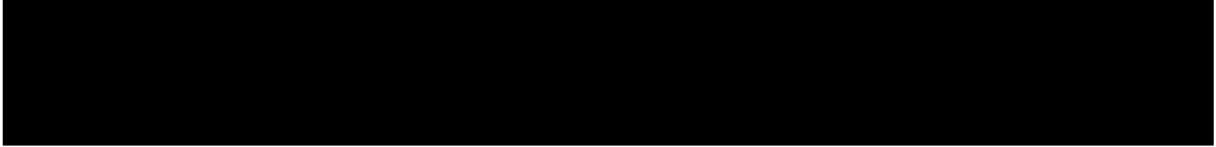


Re: 377 Chichester Road
Bognor Regis
West Sussex
PO21 5AT

Planning Design and Access Statement

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Context & Background

The application site is located in an urban area within the built up area of Bersted. It is situated close to the junction of Chichester Road (former A259) and Chalcraft Lane and is within a long established residential area.

The application property comprises a modern two and half storey brick built building that fronts onto the pavement along Chichester Road. The upper two floors of the building comprise 5No. one bedroom flats and 1No. two bed flat. The ground floor comprises 1No. one bedroom flat and a disused shop.

The shop owner operated a convenience store until about 7 years ago, when it was closed due to lack of viability. They secured a tenant who similarly attempted to operate a convenience store from the premises. It also proved not to be viable and closed in November 2016. The shop premises have been vacant ever since, despite marketing.

The premises have been marketed by both Parsons Son and Basley Commercial lettings and by the owner of the premises. No one has taken on the lease despite the offer of reduced start up lease arrangements.

The Proposal

The proposal is for the conversion of the ground floor shop to 3No. two bedroom flats and associated alterations to the building, the demolition of the outbuilding and the provision of on-site parking and garden areas.

Planning Policy

National Planning Policy Framework 2019 (Framework)

The Core principles of the Framework are to adopt a pro-active approach and local authorities should approach applications in a positive and creative way. Decisions-makers at all levels should seek to approve applications for sustainable development where possible and should determine applications in accordance with the development plan unless material considerations dictate otherwise. (Sections 2 and 4).

To support the Governments objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. Small sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly. Accordingly, at least 10% of an authorities housing requirement should be met on small sites. Windfall sites should be supported and all housing applications should be considered in the context of the presumption in favour of sustainable development. (Section 5)

The Framework states that strategic policies relating to housing need should be informed by local housing need assessments. Paragraph 73 states that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing against their housing requirement set out in adopted strategic policies, or against their local

housing need where strategic policies are more than 5 years old. Such figures should include appropriate buffers.

Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. It states that proposals which accord with an up-to-date development plan should be approved without delay. However, where development plan policies, which are most important to determining applications are out of date proposals should be approved unless:

"i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole."

Footnote 7 to paragraph 11 explains that development plan policies are considered out of date where local planning authorities are unable to demonstrate a five year supply of deliverable housing sites, or where the Housing Delivery Test indicates the delivery of houses was substantially below 75% over the previous three years.

Paragraph 73 of the Framework explains that local planning authorities should maintain a five year supply of deliverable housing sites against their housing requirement set out in adopted strategic policies. However, where those policies are more than five years old the supply should be set against their local housing need.

The Framework places increased emphasis on making effective use of land, with section 11 of the Framework being dedicated to this. It states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and to promote and support the development of under-utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Retail and employment land should be used for housing in areas of high housing demand, provided this would not undermine key economic sectors, sites or the viability and vitality of town centres.

In relation to density, the Framework states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use for the potential of each site. Plans should include the use of minimum density standards and proposals that fail to make efficient use of the land should be refused.

In relation to meeting the challenge of climate change the NPPF states that planning plays a key role in helping shape places to secure radical reductions in

greenhouse emissions through planning for development in accessible locations. (Section 14).

Regarding meeting the needs of everyone paragraph 91 of the Framework addresses healthy communities. It seeks to deliver social, recreational and cultural facilities and services such as local shops, meeting places, sports venues, cultural buildings, public houses and other local services. It states that authorities should ensure an integrated approach in considering the location of housing, economic uses and community facilities and services. (Section 8)

Concerning design, section 12 of the Framework states that new development should function well and add to the overall quality of the area; establish a strong sense of place, optimise the potential of the site and reflect the identity of local surroundings, while not preventing or discouraging appropriate innovation. Planning decisions should not stifle innovation, originality or initiative.

In relation to flooding section 14 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Strategic policies should be informed by a strategic flood risk assessment and the cumulative impacts in, or affecting local areas susceptible to flooding and advice from the Environment Agency and other flood risk management authorities.

The proposed scheme accords very closely with the Framework for the reasons set out in this statement. As such there is a presumption in favor of granting planning permission.

National Planning Practice Guidance (NPG)

Regarding design the NPG refers to paragraph 130 of the Framework and the newly published National Design Guide.

The NPG advocates making effective use of land and advises that densities can be measure in terms of dwellings per hectare and bed-spaces per hectare. It advises that all developments should maintain acceptable living standards in relation to daylight and sunlight. Paragraph 005 Reference: ID : 66-005-20190722).

The NPG advises on how to undertake objectively assessed housing needs and on how to apply paragraph 11 of the Framework.

In relation to flood risk paragraph 048 Reference ID: 7-048-20140306 of the NPG advises that a change in use may involve an increase in flood risk if the vulnerability classification of the development is changed. In such cases the applicant will need to show in their Flood Risk Assessment that future users of the development will not be placed in danger from flood risk throughout its lifetime. Mitigation measures may be necessary and it is for the applicant to show that the change of use meets the objectives of the Framework's policy on flood risk.

National Design Guide 2019

The NDG encourages looking at the sites context in relation to its surroundings and making efficient use of land. Well-designed neighbourhood's provide a variety and choice of homes to suit all needs and ages and which are well integrated. Homes should provide good internal living spaces with access to private gardens and public spaces.

Government New Homes bonus (NHB)

This bonus secures additional funding for local authorities when granting planning permission for new housing. The additional funds help keep Council tax rates down and help fund local services and facilities for local people. Section 143 of the Localism Act and S.70 of the Town and Country Planning Act state that certain financial contributions, such as NHB are a material consideration in the determination of planning applications.

Housing Delivery Test 2018

The Housing Delivery Test 2018 identified Arun as requiring an action plan to address its under-provision of housing over the past three years. It had provided 91% of its target. By 2019 this deficit had dropped to 68% despite the publication and implementation of the required Action Plan. It then required Arun to include a 20% housing buffer. In 2020 the delivery of homes dropped further to just 61%. This means that the Presumption in favour of housing scheme in accordance with paragraph 11 d) applies.

Arun District Local Plan 2011 – 2031 (LP)

Within the LP the application site is shown as abutting both the defined built-up area and the Strategic Housing Site SD2. It is also within the wide gap between Bognor Regis and Chichester.

Policy SD SP1 advocates a presumption in favour of sustainable development and Policy SD SP1a allows for sustainable growth to meet the needs of the District. Policy SD SP2 explains that development should be focused within the built up area boundary.

Regarding housing the LP explains that the final policy target takes account of the objectively assessed housing need (OAN). It sets a target of 20,000 homes by 2031.

Policy H SP1 advises that the phased housing is for some 1,120 dwellings per annum between 2016 and 2021, which this figure rises to 1310 dwellings per annum. It advises that 800 homes are allocated on the strategic housing site adjacent to the application site. Also, that additional housing sites will be allocated through Neighbourhood Plans.

Policy ENV DM2 allows for developments within 0 – 5km of Pagham Harbour subject to financial contributions. Policies W SP1 and W DM2 deal with flood risk and Policy W DM3 deals with sustainable drainage systems.

Section 8 deals with most business uses. Policy EMP SP1 deals with strategic economic growth and promotes the regeneration of the main town centres as the focus for retail, office and leisure developments. It seeks to protect and enhance existing business premises to meet the needs of business subject to regular review and monitoring. Policy EMP DM1 similar seeks to protect existing employment and business sites, however it is clear that this policy is directed at Class B – B8 and office uses. Retail uses are covered by Section 9 of the Local Plan. In addition, the application site is not within the Bognor Regis Economic Growth Area or the Enterprise Bognor Regis Area.

Section 9 of the Local Plan deals with retail uses. The application site falls outside the hierarchy retail centres referred to in policy RET SP1.

Policy RET DM1 seeks to maintain this identified hierarchy and with this in mind it only allows new Town Centre uses outside Town and Local Service Centres where it meets the test set out in the Framework and no suitable site can be found within or on the edge of the town centre. The reuse of redundant floor space is specifically allowed in town centres, but this matter is not addressed for out of centre retail units, despite the fact that retail uses outside the centres are not encouraged in the first place.

Housing Delivery Test – Action Plan June 2019

In accordance with the Housing Delivery Test 2018 the Council published an action plan to address the housing shortage within the district. It advised that Arun currently has a 4.7 year supply of deliverable housing sites and that housing delivery has underperformed over the first five years of LP period.

Some of the actions included in the document are:

- To apply paragraph 11d of the Framework until the 5 year supply of housing land is re-established.
- Invite applications from land owners and developers to submit applications for “deliverable” HELAA sites to re-establish the 5 year HLS.
- Seek the allocation of a range of smaller sites to foster the small build sector and diversify the developer/provider base through the Development Plan.

In the Housing Delivery Test 2019 Arun’s under performance has increased from 91% to 68%. Arun’s housing monitoring report 1st April 2019 – 31 March 2020, published in December 2020 also shows that Arun’s supply of deliverable housing sites has dropped to 3.3 years.

As a consequence of the above Arun now has the added burden of providing a housing buffer.

Bersted Neighbourhood Development Plan 2014-2019 (NP)

This Plan sets out the vision for Bersted, which includes the provision of homes and the promotion and retention of businesses and shops.

The policy section in the NP supports sustainable forms of development and states that the Parish Council, will take a positive approach to the consideration of development proposals.

Policy ES1 seeks to ensure that development contributes to local character and Policy ES3 seeks to ensure that new homes comply with the Code for sustainable homes. Policy ES9 encourages energy efficiency.

Policies EE1 and EE3 address general employment sites. Policy EE2 seeks to retain existing employment or service trade sites, unless they are no longer economically viable following marketing for at least 12 months. Policy EE4 deals specifically with retail uses. It allows for changes of use from retail to financial and catering uses within primary retail frontages in certain circumstances. seeks to retain employment land in employment use and policy CLW1 supports independent living.

Collectively Policies HDQ4, HDQ5, HDQ7, HDQ8, HDQ9, HDQ10, HDQ11 and HDQ13 seek to integrate windfall housing sites. Proposals should add to the mix of housing, be designed to a high quality, which respects the character of its surroundings and should reinforce the character of the Parish. Proposals should include garden spaces, on-site parking and should ideally be located in the defined built up area of the Parish.

Flood Risk Assessment

The site is located within Flood zone 1 on the Environment Agencies web site and is similarly shown to be at low risk of all types of flooding within the Arun District Strategic Flood Risk Assessment 2016.

The proposal is modest in size and form and will not increase the risk of flooding on the application site or elsewhere.

Amount

The proposal is for 3 No. two bedroom flats with the following floor areas:

Flat 1 - 66m² Flat 2 – 66m² Flat 3 - 62m²

Affordable Housing Statement

With 3 dwellings the proposal falls below the threshold for affordable housing provision. Due to its fixed size it simply would not be possible to accommodate 10 or more dwellings on the site.

Sustainable Drainage

The building and associated service infrastructure already exists. The proposal will make use of the existing drainage system which comprises soakaways.

Foul Water Drainage

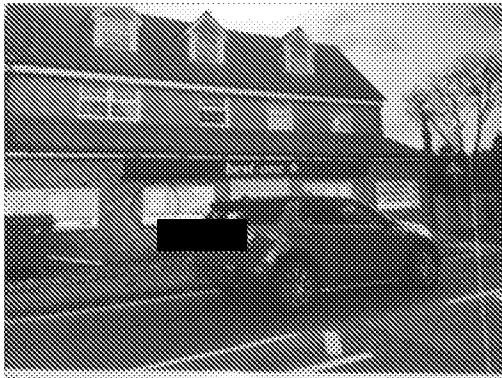
This is already provided on-site via the foul sewer mains that runs along XXXX Road.

Pagham Harbour SPA

The applicant is happy to make any required contribution relating the SPA.

Design and appearance

The existing shop has been vacant for at least four years. The absence of any use, together with the associated shuttered entrance, unused and deteriorating display panels and refuse storage area to the front of the premises has a degrading impact on the appearance of the application building, the street scene and the locality.



With the proposal the long ground floor front elevation would be broken up with a recessed front entrance to two of the flats. The shuttered shop entrance, display panels and refuse storage area will all be removed. The new fenestration would match that of the flats on the upper floors.

To the rear some of the utilitarian single storey wing will be converted to residential use and the up and over doors will be replaced with matching brickwork and fenestration to match the flats above.



The existing outbuilding at the eastern end of the rear service yard will be removed and replaced with private and communal gardens and pedestrian access to the existing and proposed flats. A cycle storage shed and refuse storage area will be provided along the southern edge of the site, in place of a vehicle manoeuvring area and four parking spaces, with on-site turning will be provided at the western end of the service yard.



Overall, the character and appearance of the host building will be materially improved and in far better respect and be assimilated into its established and mixed residential setting.

Heritage Statement

There are two grade II listed buildings in the vicinity of the application site. They include, the adjacent property to the east 373 and 375 Chichester Road (Nos.373 & 375) and the building diagonally opposite on the north side of Chichester Road, Royal Oak Public House (PH).

Nos. 373 & 375 comprise a pair of semi-detached early 19th century two storey Cottages. They are constructed from cobbles, with brick reinforcements under a slate roof. The side and front gardens are enclosed by low cobble and brick walls and in more recent times the flank walls of the dwellings have been rendered and painted white.

These features together with their low key domestic use contribute to the character, appearance and significance of the pair of cottages.

The PH dates back to the 17th century with later additions. It is irregular in shape with a steeply pitched plain clay tiled roof. This roof is attached to a slate mono-pitched roof over the rear and side extensions. There are further felt covered flat roofed additions to the rear of the mono-pitched roof. The building is rendered and painted maroon in colour and the fenestration comprises a combination of traditional and modern timber casement windows and partially glazed doors. There is a large courtyard to the rear of the building which is enclosed by a brick and cobble wall.

These features and the use of the building as a public house contrite to the character appearance and significance of the PH.

As stated in the Design and appearance section above, the exiting ground floor of the application has a degrading appearance on the street scene and thus the setting of the listed buildings. Also, the bland front wall, shuttered door and signage are utilitarian and commercial in appearance and detract from the otherwise residential setting of the listed buildings.

The proposal will reinforce the residential setting of the listed buildings and will improve the character and appearance of the front elevation and rear yard area.

As a result of these factors, the proposal will enhance the setting of both listed buildings. This weighs in favour of the proposal.

Landscaping

This is an urban site that is currently devoid of soft planting and gardens. The proposal presents an opportunity to change this. The proposal includes the demolition of an existing outbuilding and the formation of private and communal garden areas, which will serve both the existing and proposed flats.

Lighting Assessment

The site is within the built up area of Bognor Regis and fronts onto Chichester Road, which includes street lights and numerous buildings.

The proposal relates to the ground floor of the premises and so no upper floor roof lights are proposed.

With the proposal the need for illuminated shop windows and advertisements will be removed.

For these reasons the proposal will not impact on dark skies and light pollution.

Bin Storage and Collection Provision

The site layout plan shows where bin and refuse storage will be stored.

Parking Provision

The current WSCC parking standards include:

Shops - 1 space per 14m²

1 bed flats – 0.9 spaces

2 bed flats – 1.1 spaces

Currently the site comprises 7No. one bed flats and a 202m² shop, with associated outbuildings which extend to some 78m². This equates to a parking requirement of:

7 flats – 6.3

145m² shop – 14.46

Currently there are four parking spaces on the site.

This equates to a 16.76 space shortfall in parking provision.

Since the development was constructed the existing parking spaces on the site have been used solely in association with the shop. None of the tenants of the existing flats has asked to use or rent parking spaces, which is not surprising as none of the tenants have cars.

The proposed site layout plan shows five on-site parking spaces, with on-site turning. One of the spaces will be for disabled use and one will have an electric charging point. This would exceed the parking requirement for 3No. 2 bedroom flats as it would result in 1.66 spaces per flat.

However, the applicant would like to either leave all spaces unallocated and allow the upper and lower ground floor flat residents to use them; or

Allocate one parking space to each of the proposed two bedroom flats. Leave the disabled space and fifth parking space with an electric charge point for all residents and visitors.

Taking the whole building into account this would result in a 4.6 space shortfall.

However, it would represent a significant improvement on the current situation and new proposals are not required to make up for shortfalls elsewhere. More important this is a highly accessible location and the occupants of the upper floor flats do not have cars.

Overall, it is considered that the proposed parking provision is suitable and appropriate.

Cycle storage

The current WSCC cycle storage requirement for 1 and 2 bedroom flats is 0.5 spaces per flat. spaces

Currently no dedicated or secure covered cycle storage is provided on the site.

With the proposal there will be secure and covered cycle parking for 10 bicycles. This will be provided in a dedicated cycle storage shed, as shown on the site layout plan.

Transport Statement

The site is located within an accessible urban area and the site fronts directly onto the Chichester Road (former A259) and Chalcraft Lane. There are frequent bus services along Chichester Road providing access to the centre of Bognor Regis, Littlehampton, Chichester, Horsham, etc. and this includes Chichester and Barnham railway stations. Bus stops for these services are located within a very short distance of the application site.

Chichester Road and Chalcraft Lane both have pavements and street lights and the application site is within easy walking and cycling distance of a wide range of community facilities and services. This includes a public house diagonally opposite and a Tesco Express which is located a short distance to the east of the application site.

There is a cycle path along the A259 between Bognor Regis and Chichester.

Living conditions of existing residents

The proposal will improve the living conditions of the existing flats residents on the site. They will no longer be living in flats adjoining a vacant and unheated rental unit and the character and appearance of the building will be improved. If the premises were used for their lawful purpose the customers and staff would be likely to generate noise and disturbance from early in the morning and until around 10pm at night.

The proposal will result in the provision of a far nicer entrance to their flats, the inclusion of a communal garden and the opportunity for their visitors to park in the visitor parking space. They will also have a covered and secure cycle storage place.

The immediate neighbour to the south will benefit from the knowledge that the rear service yard will not be used for a shop car park and busy service yard, or otherwise left vacant, open and accessible. Also, vehicles will no longer be able to access the rear half of the yard area, adjacent to the rear garden and the dwelling at 13 Chalcraft Lane.

The residents at 375 Chichester Road will benefit from having unsightly outbuildings removed from their side boundary and replaced with a landscaped communal garden.

Living conditions of Proposed residents

The proposal complies with the National Internal Space Standards.

The proposal would be suitable for disabled persons.

The proposal provides private/communal gardens, on-site parking, refuse and cycle storage.

The flats all have dual aspects.

The flats would be located in an accessible residential area.

Loss of a commercial unit

As stated in context and background section, the shop owner operated a convenience store until about 7 years ago, when it was closed due to lack of viability. They secured a tenant who similarly attempted to operate a convenience store from the premises. It also proved not to be viable and closed in November 2016. The shop premises have been vacant ever since, despite marketing.

The premises have been continuously marketed since then by Parsons Son and Basley Commercial lettings or by the owner of the premises. No one has taken on the lease despite the offer of reduced start up lease arrangements.

Copies of advertising details:





This vacancy, lack of interest and lack of viability is not surprising for the following reasons:

- There is a Tesco Express a very short distance to the east. This store has ample on-site parking and turning immediately to the front of the store.
- There are massive food retail units located a short drive or bus ride to the east.
- The shop is located next to a busy road junction that is not attractive for pedestrian use.
- To access the shop by car, it requires customers to park in the car park off Chalcraft Road and walk around to the front entrance. (There is no on-street parking to the front of the shop unit).
- There are flats above the shop, which make it susceptible to complaints regarding noise, services and unsocial behaviour. This weighs against other Class E uses.
- With so many shops closing, typically in far more attractive retail locations, over the past 12 months there is no prospect of finding a new retail tenant.

It should also be noted that due to the length of vacancy the shop unit has been broken into and vandalised and fly tipping takes place in the rear service yard. This is both unsightly and costly.

Permitted Development Rights

Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2020, allows for the change of use of a retail shop to residential subject to various conditions including, amongst other things:

- The premises were in retail use in 2013 and have been either used for retail purposes or remain vacant ever since.
- The proposal relates to no more than 150m² of floorspace.
- The proposal does not involve any extensions.

The proposal was in retail use in 2013 and have not been used for any other purpose since, notwithstanding lengthy vacant periods.

The proposal does not involve any extensions.

The proposal does exceed 150m², although a smaller scheme for the front 2 flats in the main retail shop could be submitted instead.

Class M is subject to seeking the decision of the Council as to whether prior approval is required in relation to:

- a) Transport and highways impact;
- b) Contamination risks;
- c) Flooding risks;
- d) Whether the change of use is undesirable because of its impact on:
 - i) the adequate provision of services of the sort provided, but only where there is a reasonable prospect of the building being used for retail purposes.
 - ii) where the building is located in a key shopping area.

- e) The design of the external appearance of the building.
- f) The procedure for prior approval is set out in Class W of Part 3.

In relation to the proposal:

- a) There can be no highway concerns as the proposal would not generate more traffic than a viable retail use and the proposal makes better on-site parking provision.
- b) There are no contamination risks.
- c) There are no flood risks.
- d) i) There is a convenience store a very short distance to the east and large superstores a short drive further to the east.
The shop has demonstrated itself not to be viable.
- ii) The shop is not in a key shopping area.
- e) The proposed design is superior to that of the existing retail unit.

Overall, there is no reason why a conversion scheme for the front part of the retail unit would not be Allowed under Part 3 Class M.

Sustainability conclusion

Economic

The proposal will make full use of a vacant urban building and will provide local employment during its conversion.

Social

The proposal will provide three small family dwellings and will make a modest, yet important contribution to the supply of homes in the district.

The proposal will provide three relatively low cost dwellings in an accessible urban location.

The occupiers of the proposed dwellings will support local community facilities.

Environmental

The scheme will make full use of an existing building.

The proposal includes the introduction of private and communal gardens and associated soft landscaping, which will benefit wildlife.

The scheme includes an electric car charging point.

Policy conclusion

The proposal fully complies with the environmental policies set out in the Local Plan, NP and the Framework. The site is located in an established residential and urban area. It is immediately adjacent to public transport routes and within easy walking and cycling distance of many facilities. The ground floor of the building has been vacant for in excess of four years and there is no realistic prospect of a new retail use moving into it. Also, Arun currently does not have a deliverable five year supply of housing sites and this small windfall site is available for development now.

Tilted Balance and overall conclusion

Arun District currently does not have a 5 year deliverable supply of housing sites. In addition, the 2018 and 2019 Housing Delivery Tests show that over the past three years Arun has failed to deliver the number of homes required and as required Arun has now produced an action plan to demonstrate how it will address the shortfall and has to include a housing buffer.

The Council's annual monitoring report confirms that the Local Plan was prepared largely in the Framework 2012. The Framework 2019 seeks to significantly boost the supply of homes and changes have been made to how objectively assessed housing need is calculated. It advises that Arun needs to show a 20% buffer in relation to its housing site supply and that housing delivery in Arun is not performing strongly enough when compared to the stepped delivery requirements set out in the Local Plan.

Overall, the monitoring report confirms that as at March 2020 Arun had a 3.3 year supply of deliverable housing sites.

As such the tilted balance set out in paragraph 11 of the Framework applies. It states permission should be granted unless:

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposed scheme will provide three small family homes. It will make a small yet important contribution to meeting this need and in meeting the need for more homes in the District. At the same time the New Homes Bonus funds the Council would receive would enable them to invest in local services and facilities for the community. Also, the application site is located in an established and accessible residential area and the existing ground floor where the flats would be provided has been vacant for the last 4 years. These are benefits which provide a very strong positive weight to the planning balance. This is both due to the real benefits they provide, coupled with the identified existing and projected future housing shortage in the District.

The construction of the development will provide employment and the occupiers of the proposed dwellings will support local services and facilities. The proposal will make effective use of a redundant retail unit and the scheme would not result in the loss of any undeveloped land or wildlife habitats. In these ways the proposal will comply with the economic, social and environmental objectives of sustainable development. Similarly, these are benefits which gives positive weight to the planning balance. For these reasons the tilted balance weighs heavily in favour of the proposal and very clearly outweigh any policy conflict or other harm that could result from the proposal.