Recommendation Report for Planning Permission

REF NO: **BE/8/12/**

LOCATION: Territorial Army Centre
& Air Cadet Hall
Chichester Road Bognor Regis

PROPOSAL: Proposed storage container

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is for a temporary storage container 4m x 2.1m located to the side of the existing meeting hall.
SITE AREA	0.12 hectare
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat up slightly from road level.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing to the rear. Metal railings to the front. Fencing to the front side with 391 Chichester Road, with chicken wire to the rear side.
SITE CHARACTERISTICS	Three timber clad buildings with metal roofs. Parking area to the front. The site consists of a grassed area to the side between the building and 391 Chichester Road.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

BE/58/91	Consultation under Circular 18/84 for construction of car park for motor cars and light vans,and entrance/exit from highway (Chichester Road,Bognor Regis) across Local Authority footpath.	No Objection 19-08-1991
BE/71/92	Circular 18/84 consultation for the erection of a pre- fabricated auxiliary hut as additional classroom space for the ATC unit.	No Objection 27-08-1992
BE/116/10/	Extension to existing army Cadet Squadron Hut. Demolition & re-construction of target house & concrete tubes on minature rifle range & replacement of wrought iron fencing & vehicle gates across front of site.	Approve Cond 17-11-2010

BR/54/48	Change of use	Refused 11-08-1948
BR/355/68	Hut for T.A.	Approve Cond 04-07-1968
BR/243/68	Hutment for T.A.	Approve Cond 27-05-1969

REPRESENTATIONS

Representations received:

Bersted Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built-Up Area Boundary
Class 'A' Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

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

PRINCIPLE

The site lies within the Built-Up Area Boundary where development is acceptable in principle subject to development control criteria such as visual and residential amenity being satisfactory.

VISUAL AND NEIGHBOUR AMENITY

The storage container is proposed to be located approximately 10m back from the road to the side of the existing building in a space between the building and 391 Chichester Road. It is proposed to be of galvanised steel 2.1m x 4m and 2.1m high. The proposal is considered to be unobtrusive within the street scene and cannot be seen from the car park. It is screened from the neighbour by fencing along the side boundary. It is therefore, considered that the proposal will not result in any significant loss of visual or residential amenity.

EXTENT OF THE USE

The storage container is proposed to be used to store training equipment consisting of tent, camping equipment and other items required for the training centre. The requirement is for five years.

NATIONAL PLANNING POLICY FRAMEWORK

This Policy seeks sustainable development; paragraph 69 seeks decisions that seek to achieve places which provide opportunities for meetings through mixed use development. It is considered that this proposal is in accordance with this Policy as the site provides training facilities for the Territorial Army, and air cadets.

SUMMARY

The proposed store is reasonably necessary to store camping equipment for use by the Territorial Army and air cadets. It is not considered that the proposal would result in any significant loss of visual or residential amenity and it is recommended that the application is approved subject to the following Conditions.

HUMAN RIGHTS ACT

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) 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 none the following impacts (negative, Neutral or positive) 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).

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 drawing number 234-01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

3 The storage container hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on five years from the date of this permission.

Reasons:

The appearence of the building, by virtue of its design and construction is likely to deteriorate and become detrimental to the visual amenities of the surrounding area and in order that the Local Planning Authority may be satisfied as to the appearance of the land after the removal of the building in accordance with policy GEN7 of the Arun District Local Plan.

4 The external walls and roof of the proposed metal store shall be painted green and kept in reasonable decorative order.

Reason: In the interests of amenity to achieve a reasonable visual quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.

5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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, GEN12

NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.