

Recommendation Report for Planning Permission

REF NO: BR/108/18/PL

LOCATION: Salon 7
95 Hawthorn Road
Bognor Regis
PO21 2BE

PROPOSAL: Change of use of part ground floor hairdressers (A1 Shops) to form 1 No. one bedroom flat (C3 Dwelling House).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal to change the use of part of the ground floor from an existing hairdressing salon to create a 32 sqm flat. The flat will have its own access from the side of the property and will not be associated with the salon.
SITE CHARACTERISTICS	The only external alterations are the replacement of sliding patio doors to French doors and the removal of a rear door. The site is a semi-detached two storey building, with a hairdressing salon at ground floor level and residential accommodation above. The walls are brick faced, with a plain tiled pitched roof and gable features.
CHARACTER OF LOCALITY	The site is located in a road of buildings of similar style, with mixed residential and commercial uses within the immediate vicinity of the site.

RELEVANT SITE HISTORY

BR/213/09/	Rear extension and loft conversion	Refused 20-11-09 Appeal: Dismissed
BR/770/74	New Shopfront To Existing Ladies Hair Saloon	Approve 04-12-74

Noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Regis Town Council - No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

Environmental Health

Natural England

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Natural England - Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
SDSP2	SD SP2 Built-up Area Boundary

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 plan for the relevant designated neighbourhood area. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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.

There are no relevant policies in the Bognor Regis Neighbourhood Plan that relate to these proposals.

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

The proposal involves the creation of a 1 bed flat within the defined built up area of Bognor Regis. The site is within a highly sustainable location. The proposal would be for a single occupancy.

The flat will have a separate access (to the salon) and have all of its own amenities. At 32sqm in size, the flat would be marginally smaller than the Nationally Described Space Standards. However, as a small unit the proposals would contribute to the overall housing supply and stock. It will also make use of underused floorspace within the urban area.

There are no dedicated off street parking spaces proposed as part of the application. However, there are dedicated parking spaces to the front of the property and the property would be within a highly sustainable location accessible by other forms of transport.

The proposals will have no adverse impact on the amenity of adjoining properties.

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.

SECTION 106 DETAILS

Pagham Harbour Mitigation Proposals in accordance with current policy. The planning obligation has been completed.

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:

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Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 **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.