

PLANNING APPLICATION REPORT**REF NO:** BR/119/09/**LOCATION:** 24 West Street
Bognor Regis**PROPOSAL:** Change of shop to residential (Re-submission following BR/328/08/)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposed change of use of shop into residential.
SITE AREA	0.0054 hectares
RESIDENTIAL DEVELOPMENT DEN	185 dwellings/hectare
TOPOGRAPHY	Predominantly flat
TREES	N/A
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Corner shop unit, currently empty, previously an angling centre. Residential above.
CHARACTER OF LOCALITY	On outskirts of Bognor Regis town centre and within The Steyne and Waterloo Square Conservation Area. Mix of commercial and residential properties. Shops opposite have been converted into flats. Four remaining retail units left in the area.

RELEVANT SITE HISTORY

BR/383/88	Alterations to shop with living accommodation over alterations to cottage and erection of carport.	Approve Cond 05-09-1988
BR/328/08/	Change of shop to residential	Refused 24-12-2008
BR/552/79	Replacement Shopfront	Approve Cond 15-08-1979

REPRESENTATIONS**Representations received:**

Bognor Regis Town Council

No objection although disappointment expressed over loss of another business premises.

Comments on Representations received:

Noted.

CONSULTATIONS

Property Services Manager

Consultations responses received:

Chairman Conservation Area Advisory Committee

Comment - Quality & finish of new joinery will be critical.

Deputy Head of Surveying and Estates

The owners through their agents have demonstrated that this retail unit is no longer a viable prospect other than to a very specialist trade which does not rely on passing pedestrian traffic. Whilst it is very difficult to judge at present whether in better times than we currently find ourselves this shop might find a retail user along the lines I have indicated above is arguable, however I do not think that given the location of the subject property its loss as a retail unit so near to the main town centre would be detrimental to the local economy.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built-Up area Boundary

Class A road

Within a designated Conservation Area

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPBE1 SEPBE6 SEPCC1	Management for an Urban Renaissance Management of the Historic Environment Sustainable Development
Arun District Local Plan:	AREA2 DEV30	Conservation Areas Local and Village Centres

PLANNING POLICY GUIDANCE

PPG15	Planning and the Historic Environment
PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres

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. Consideration of the retail units continued viability will also be addressed.

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 the proposed change of use is considered appropriate to the character and appearance of the area and the current retail use is not viable.

Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal is considered to comply with this criteria in that the alterations to the shop front are not considered to materially affect the character of the Conservation 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 previous application was refused on the grounds that, firstly, the design of the proposed front elevation would have a harmful impact on this section of the Conservation Area and, secondly, no evidence had been submitted claiming that the retail unit was no longer viable.

Loss of Retail Use

The Council's Deputy Head of Surveying and Estates has assessed the applicant's information and concludes that the premises are no longer viable as a retail unit. As such a change of use away from retail is acceptable in policy terms.

Impact on Conservation Area

The site is the end terrace of two retail units both of which are currently vacant and visually unattractive. This shop front has undergone previous and unsympathetic alterations. The statement of character for the Steyne and Waterloo Square Conservation Area, contained in the Conservation Area SPG, sees opportunities for improvement/enhancement as being the "restoration of original softwood timber sash or casement windows and doors, shop fronts, etc. where replaced with later, inappropriate features." Whilst the loss of the shop takes away the chance to restore the shop front the proposed residential use provides an opportunity to improve/enhance the conservation area by restoring sash or casement windows and doors. Furthermore, an established feature on this corner location is that it is a significantly glass fronted elevation. This application, unlike its predecessor, proposes to retain a large proportion of glass and thereby retain some of the existing character.

The proposal whilst a regrettable loss of a retail use is therefore considered to have an acceptable impact on the character and appearance of the Conservation Area and planning permission should be granted subject to the following conditions.

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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the Steyne and Waterloo Square Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and AREA2 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of joinery details and decorative finishes of windows and doors and their surrounds/frames have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the Steyne and Waterloo Square Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and AREA2 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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. In addition the current retail use is not considered to be viable.

RELEVANT POLICIES

SOUTH EAST PLAN: BE6

LOCAL PLAN: GEN7, AREA2, DEV30

NATIONAL POLICIES: PPS1, PPS6, PPG15

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.