

Recommendation Report for Planning Permission

REF NO: BR/120/18/PL

LOCATION: 2 Highfield Road
Bognor Regis
PO22 8BG

PROPOSAL: Conversion of existing ground floor flat into 3 No. self-contained apartments.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Retrospective planning permission is sought for the conversion of the ground floor of 2 Highfield Road to form three self contained flats. Flat 1 is access from Highfield Road, Flats 2 and 3 are accessed from an unmade road to the south of the property and have their own front doors on the southern elevation.
	Internally, each flat would have a living area with a kitchenette, a bedroom and bathroom. These properties would measure between 30 sqm - 38 sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
SITE CHARACTERISTICS	Large house, converted to flats. Rear single storey conservatory near flat roof lean to. Rear dormer.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

BR/90/11/	Replacement roof to convert & extend existing conservatory into improved living area including garage conversion	ApproveConditionally 23-05-11
BR/171/02/	Conversion of existing 3 storey house into self contained one bedroom ground floor flat and student accommodation above.	ApproveConditionally 09-08-02
BR/174/93	Detached garage	ApproveConditionally 01-11-93

Noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

Bognor Regis Town Council - No objection

3 letters of support (2 from persons residing at 2 Highfield Road)

1 letter of objection on the grounds of

- The proposed works are retrospective, the property was converted without planning and has been inhabited with tenants as such for approximately a year.
- There is minimal on road parking available

One letter of no objection from a tenant at 2 Highfield Road

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Environmental Health

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

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
HSP4	H SP4 Houses in multiple occupation
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, 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.

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 Bognor Regis Neighbourhood Development Plan policies to consider.

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 in accordance with policy SD SP2 of the Arun Local Plan and provided it is in accordance with other policies of the Local Plan covering such issues as character, residential amenity, noise, highway safety and parking and space standards.

Regard should also be had to policy SD SP1 of the ALP which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)." It is considered that the site is in a sustainable location within walking and cycling distance of a range of shops, facilities and services including bus stops, a large food store and a railway station.

Paragraph 118 (d) of the NPPF states that "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing". It goes on within the relevant footnote to state that: "As part of this approach, plans

and decisions should support efforts to identify and bring back into residential use empty homes and other buildings".

CHARACTER OF THE AREA:

Policy D DM1 of the Arun Local Plan 2011-2031 requires that the Council have regard to certain aspects including character, density and scale.

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)."

There are no significant changes proposed to the external appearance of this building and therefore, it is only relevant to consider the impact of the proposed use on the established character of the area. It is noted that the area is predominantly residential. Furthermore there are existing flats in adjacent former single dwelling houses. It is not therefore considered that the proposed use would be out of character in this mixed location.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1 & D SP1 and with the guidance on character within the NPPF.

NOISE & RESIDENTIAL AMENITY:

Arun Local Plan 2011-2031 policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

Furthermore, policy QE SP1 states that: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District."

It is not considered that a residential use, albeit an intensified one would be considered to be a noise generating form of new development. The use remains as residential and will therefore have similar characteristics to other residential properties within the locality.

It is therefore considered that the proposal complies with Arun Local Plan policy D DM1.

INTERNAL & EXTERNAL SPACE STANDARDS

Arun Local Plan policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

The Technical Housing Standards (Nationally Described Space Standard) state that single person flats should be approximately 37 sqm in floor area. One of the proposed flats is approximately 30 sqm with the other two being 34 sqm and 38 sqm. Each flat has a small external courtyard with cycle parking provision.

It is not considered that this shortfall is so significant as to justify a refusal of planning permission.

CAR PARKING & HIGHWAY SAFETY:

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

Paragraph 108 of the NPPF states that: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should also be had to paragraph 109 which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The application site is in a highly sustainable location with good public transport links and cycle storage included within the scheme. Because of this, it is not considered that there is any justification in seeking dedicated off street car parking spaces.

PAGHAM HARBOUR:

The application is accompanied by a signed legal agreement relating to a payment of £1,742 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area.

Arun Local Plan 2011-2031 policy ENV DM2 states that all new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area.

The application site lies within the designated Zone B and accordingly it was necessary to apply this requirement. The net increase of two dwellings resulted in a contribution of £1,742 at the current rate and it is this that is secured by the signed legal agreement.

SUMMARY:

This new dwellings represent an efficient use of urban land and does so without compromising the visual amenity of the area, the amenities of existing neighbouring residential occupiers or the safety of the public highway. It is recommended that the planning permission be granted subject to the following conditions and the agreed legal agreement.

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

This decision will be granted in conjunction with a Section 106 legal agreement relating to a contribution of £1,742 towards the Pagham Harbour Access Management Mitigation Measures.

RECOMMENDATION

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

 Location/Site Plan
 Existing Elevations
 Existing Ground Floor Plan
 Proposed Ground Floor Plan Revision A
 Proposed Elevations

 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.
- 2 Secure cycle storage shall be provided in accordance with the details shown in approved drawing (Proposed Ground Floor Plan Revision A).

 Reason: In the interests of providing a sustainable form of development in accordance with policy T SP1 and T 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.