Recommendation Report for Planning Permission

REF NO: **BR/125/14/PL**

LOCATION: Crawford Care Home
3 Clarence Road
Bognor Regis

PROPOSAL: Extension to the rear ground floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The extension to the rear infills an area between the existing building and the boundary wall. It will be approximately 6.73m deep but as measured from the rear boundary. The extension is flat roofed with a total height of 2.3m. The extension provides a new bedroom, wet room, office, small seating area and laundry room.
SITE AREA	1000m2.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Part 2m wall/part 2.1m fence to end of the site and also to the side boundary.
SITE CHARACTERISTICS	This is the rear of an existing care home and forms part of an external yard/garden area. The existing building is 3 storeys high with a part 3/part 2 storey outrigger extension. The building is in cream/yellow render with clay tiles.
CHARACTER OF LOCALITY	Residential area. Predominantly semi-detached or terraced. The front of the building faces the Town Hall building. The adjacent neighbouring property is 2 Alexandra Terrace and contains several flats. There are no rear facing ground floor windows but a side facing ground floor window may be affected.

RELEVANT SITE HISTORY

BR/275/93	Continuance of use without compliance with Condition No 2 imposed on BR/945/84 - use	ApproveConditionally

	as a residential care home	17-01-1994
BR/209/97	Demolition of existing lean-to and erection of new single storey extension to form utility room and staff toilet and first floor fire escape staircase.	ApproveConditionally 10-10-1997
BR/99/65	Additions	Approve 07-10-1965
BR/945/84	Change of use from hotel to tresidential rest home	ApproveConditionally 12-12-1984

None.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council - no objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
No Public Sewer; and
Class C Road.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development

Publication Version of the Local Plan (October 2014):

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.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

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 as defined in the Arun District Local Plan where the principle of development is acceptable subject to normal development control criteria such as residential and visual amenity being met.

The National Planning Policy Framework (NPPF) supports effective and efficient use of land for sites in the built up area but also advises that new housing should be well integrated with and should complement neighbouring buildings and the local area in terms of scale, density, layout and access. Paragraph 50 of the NPPF directs local planning authorities to provide a wide choice of high quality homes to meet the needs of different groups in the community. This includes (but is not limited to) older people and people with disabilities. It is recognised that there is elderly population within Arun for which this type of accommodation is required. The application will provide an additional 1 bedroom.

VISUAL AMENITY

The proposed extension essentially wraps around the rear/side of the existing building. The existing flat roof at the very rear of the building is replicated on the extension and this along with the use of materials to match will ensure a seamless finish to the building. The extension will not be visible in any existing street scene as it backs onto a car park.

RESIDENTIAL AMENITY

The extension is wholly located to the rear of the main rear building line of 1 and 2 Alexandra Terrace and does not extend into the gap between the two outrigger extensions. However, there are living room windows on the ground floor flank wall of no. 2 and these may be affected by the extension. Notwithstanding, there are no flank windows proposed therefore no issue of overlooking (light is instead taken from roof lights).

It is not known exactly what the nearest ground floor flank window serves as there was no access to see into the window and the occupier was not able to say what the window was. However, as the extension is flat roofed, is not particularly higher than the existing boundary wall and given that there is another window further from the extension also serving the flat, it is considered that the impact in terms of loss of light will be negligible.

INTERNAL & EXTERNAL SPACE STANDARDS (POLICIES D DM2 and D DM3)

Policy D DM2 of the Publication Version of the (emerging) Local Plan (February 2014) deals with internal space standards. This policy sets out the internal space standards for different sizes of dwelling. It is considered that a nursing home bedroom is a form of residential accommodation. The proposed bedroom is 10m2 and on the basis that it is likely to be for single occupancy, it complies with our standards.

Emerging Local Plan Policy D DM3 deals with external space standards. This policy sets out the requirements for private outdoor space for apartment buildings. It requires 4m2 of private space (as a balcony, patio, roof garden etc.) for each 1 bedroom unit. No external space is included within the proposal but given its central location and that the existing space is not particularly attractive/large enough to allow for sitting out, it is considered acceptable to discount D DM3.

CAR PARKING

There is no existing car parking associated with the site but the site lies in a highly sustainable location within easy reach of the railway station, bus stops and nearby public car parks. It is unlikely that residents will have cars and visitors can park in the town hall car park.

SUMMARY

It is not considered that the proposals will have an adverse effect on the residential and visual amenities of the area and it is therefore recommended that planning permission be approved subject to the conditions set out below.

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.

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: 1:1250 LOCATION PLAN; 1:500 BLOCK PLAN; PROPOSED ROOF PLAN; PROPOSED PLANS; and EXISTING PLANS.

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

3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

4 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.