PLANNING APPLICATION REPORT

REF NO: **BR/126/10/**

LOCATION: Inner Court
Norfolk Square
Bognor Regis

PROPOSAL: Renewal of unimplemented planning permission BR/297/05 to redevelop site to provide 6No. 2-bed self contained flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is to demolish the existing dwelling and replace it with a new 3 storey block of 6 flats.
SITE AREA	390 sqm 0.039 hectares
RESIDENTIAL DEVELOPMENT DEN	77 dwellings per hectare
TOPOGRAPHY	Flat
TREES	None worthy
BOUNDARY TREATMENT	Flint walling with brick and stone.
SITE CHARACTERISTICS	Large detached brick painted property tiled roof and 3 storeys.
CHARACTER OF LOCALITY	Residential. To the front of the site is a block of 5 storey flats. To the side is Norfolk Court which is converted to flats on 3 storeys with basement and dormers. Mixed styles to south. 1960s and 1980s, adjacent Victorian.

RELEVANT SITE HISTORY

BR/268/97	Conversion of existing dwelling into 3 self contained flats	Approve Cond 28-01-1998
BR/71/03/	Proposed three bedroom house.	Refused 25-04-2003
BR/238/03/	Proposed demolition of existing house & garages & erection of 8no. 2 bedroom apartments & 8 garages	Refused 18-09-2003 **Appeal: Dismissed 22 01 2004**

BR/54/04/	Proposed demolition of existing house & garages & erect 8no. 2 bedroom apartments & associated parking (Resubmission of BR/238/03)	Refused 15-04-2004 **Appeal: Dismissed 28 01 2005**
BR/297/05/	Redevelop existing site to provide 6 no. 2-bed self contained flats.	Approve Cond 23-11-2005

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection

2 Letters of Objection
Will result in loss of light. Will cause overlooking. The access crosses over the pavement at 90 degrees. Parking in the square is a problem. Too many flats in Bognor. Will devalue properties, will obscure views of sea.

Comments on Representations received:

Comments on Town Council
Noted

Comment on Others
The proposal is specifically designed not to cause any direct overlooking of the adjacent flats. Property values are not a material consideration. There is no right to a view. County Highways have raised no objections.

CONSULTATIONS

WSCC Local Development Divis.
West Sussex - Listed Building

Consultations responses received:

County Highways
WSCC were consulted previously BR/297/05 and raised no objections since that time. No adverse concerns have been raised with the authority. Therefore no objection.

County Design
No fundamental changes to affect the adjacent Listed Building.

Comments on Consultation responses:

Noted

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPH5	Housing Design and Density
	SEPH6	Making Better Use of the Existing Stock
Arun District Local Plan:	GEN7	The Form of New Development
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

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 normal development control criteria are met. This application is a resubmission of a previously approved application BR/297/05 to demolish the existing dwelling and building a 3 storey block of 6 flats.

Visual Amenity
Predominantly, the surrounding buildings are 3 storey, therefore the proposal, for this 3 storey development reflects the character of the area. The design with bay windows is very in keeping with the adjacent Victorian properties. Therefore the proposal does not result in any significant loss of visual amenity.

Residential Amenity
The flats have been designed to specifically prevent any direct overlooking of adjacent properties. The existing dwelling has side windows overlooking Norfolk Court, with this design the proposed side windows are secondary windows for bathrooms and kitchens. The distance between the properties is 10m which is considered to be a satisfactory distance for secondary windows. The siting is in the centre of the site and is only one storey higher than the existing. Therefore the proposal would not overshadow the adjacent property. It is therefore not considered that the proposal results in any loss of residential amenity.

Highway Issues
The proposal does not alter the access, 9 car parking spaces are proposed, which is in

accordance with the Council's maximum standards. County Highways have raised no objections. Therefore there is not considered to be any significant implications on highway safety.

Summary
The proposal has been previously approved BR/297/05. There have not been any significant changes in policy since that time which would alter that previous decision. Therefore it is recommended that the application is approved 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 This permission relates to the approved plans submitted with the approved application BR/297/05.

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 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 and roof 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 amenity by endeavouring to achieve a building of visual quality in accordance with policiy GEN7 of the Arun District Local Plan.

4 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

Reason: In order to prevent pollution of the water environment in accordance with policy GEN7 of the Arun District Local Plan.

5 The building shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

6 The building hereby permitted shall not be occupied until space has been laid out in accordance with details approved by the Local Planning Authority for the storage of cycles clear of the public highway and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 of the Arun District Local Plan.

7 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

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

8 INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.