

PLANNING APPLICATION REPORT**REF NO:** BR/142/10/**LOCATION:** 207 Chichester Road
Bognor Regis**PROPOSAL:** Extension and change of use of an existing office/storage building to residential use, to provide a total of 3No. 1-bed units. Revised application following BR/73/09.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application is to change the use of a commercial building in the middle of residential properties to residential and to extend the width by 3.6 metres. Three one bed units are to be created. A small porch is also to be added to the front of the middle unit. Three car parking spaces are to be created. A cycle storage and bin storage area is to be created at the entrance to the site. Access is from Chichester Road between 205, 205A and 209B.
SITE AREA	0.03 hectares
RESIDENTIAL DEVELOPMENT DENSITY	100 units per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing to the sides.
SITE CHARACTERISTICS	Pitched roof garage with office and builders yard to the front of the site. Red brick with fibre roof. Accessed between 205, 205A and 209B.
CHARACTER OF LOCALITY	Predominantly residential. Along the eastern boundary is the rear of 3 storey flats.

RELEVANT SITE HISTORY

BR/405/88	Conversion into two flats	Approve Conditional 05-09-1988
BR/73/09/	Extension and change of use of existing office/storage building to a residential use, to provide a total of 4 No 1 bed flats	Refused 22-06-2009 Appeal: Dismissed 26 01 2010

See Conclusions section

REPRESENTATIONS

Representations received:

One letter of objection has been received commenting on the following main points

No provision for guest parking

There are already 4 flats, with only 3 spaces, at the entrance to 207 Chichester Road.

Additionally permission at 195 to 199 Chichester Road only provides 4 spaces for 13 bedrooms.

Parking is already an issue in this area and will become worse if this application is approved as it stands

Comments on Representations received:

Given the nature of the accommodation, one bed units, and the location of the site on a road accessed by public transport, it is considered that the car parking provision is adequate.

County Highways have raised no objection.

CONSULTATIONS

WSCC Local Development Divis.

Environmental Health

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the built-up boundary

Class A road

DEVELOPMENT PLAN POLICIES

South East Plan:

[SEPH1](#)

[SEPH4](#)

[SEPH5](#)

Regional Housing Provision 2006-2026

Type and Size of New Housing

Housing Design and Density

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[GEN12](#)

Built-up Area Boundary

The Form of New Development

Parking in New Development

PLANNING POLICY GUIDANCE

PPS1

PPS3

PPG13

Delivering Sustainable Development

Housing

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 conflict with relevant Development Plan policies in that it would have no materially adverse effect on the residential amenities of the occupiers of the proposed residential units.

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 and therefore the principle of additional residential development within the area is acceptable, subject to normal development control criteria being met, such as visual amenity, residential amenity and car parking.

Planning Policy Statement 3 : Housing (PPS3) supports the effective and efficient use of the land. However, it also advises that more intensive development is not always appropriate. Design inappropriate in its context should not be accepted and advises that development should be well integrated with and complement the local area. Revisions to PPS3 have resulted in the emphasis on higher densities being deleted but it remains the case that every application should be considered on its merits and that the proposed development should be seen in the context of the site.

PPS3 also places an emphasis on achieving high quality design. It emphasises that amongst the matters to be considered when accessing design quality is the the extent to which the proposed development provided or enables good access to, community and green and open amenity and recreational space (including playspace) as well as private outdoor space such as residential gardens, patios and balconies. This emphasis is further reinforced in PPS1: Delivering Sustainable Development indicates that good Design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of the area and the way it functions, should not be accepted.

Local Plan Policy GEN7 reflects this statement emphasising high quality design and layout, and that development permitted should, amongst other matters, demonstrate that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind.

Provision of low-cost residential units and 5 year housing supply

PPS3 indicates that local planning authorities should plan for the full range of market housing. In particular, they should take account of the need to deliver low-cost market housing as part of the housing mix. There is a letter from the Aldingbourne Trust that indicates that the properties will be leased to them for clients physically challenged and that in particular one of the units is designed for disabled use. This is a consideration in the determination of the planning application.

Furthermore there is an emphasis on the need to provide an appropriate level of housing, which, after a court case, has established that the South East Plan Housing provision should be taken into account. Arun has a shortfall in such provision.

Visual Amenity

The building is to the rear of existing buildings in Chichester Road and cannot be seen within the street scene. Previously an application to refuse 4 flats in the form of a two storey mansard type roof structure was refused planning permission and dismissed at appeal. In this decision, the Inspector indicated that as result of the bulk and unusual roof design it would appear visually unattractive and would be out of character with the area. In addition there would be limited room within the site for landscaping to soften the impact of the proposal. As a result of its design the proposal would be inappropriate form of development that would be out of keeping with the character and appearance of the area. In this case, the building, as converted and extended would be single storey with more traditional pitched designed roof, is considered in keeping with the character of the area.

Residential Amenity

The proposal is single storey with no first floor windows. The existing access will be used for residential use but it is already in use for commercial traffic. Therefore there is not considered to be any adverse effect on the residential amenities of neighbouring properties.

In addition, the consideration of the living conditions of the residents of the proposed development needs to be assessed as supported by both local plan policy and PPS advice. Amendments to the scheme have resulted in better laid out areas of amenity, car parking, bin storage and bike storage.. The applicant's agent has also submitted information to justify the level of amenity provision. Examples of other Council's Amenity Space Standards Adur District Council, Croydon Borough Council and Mid Sussex District Council have been submitted. Adur indicates that amenity areas should be provided equivalent to 20 square metres per flat, which should be provided in new developments in the form of communal areas or individual amenity areas. Croydon Borough Council state that their standards only apply to developments of 5 or more flats, and that the minimum to serve 5 units would be 50 square metres of amenity space. The proposal at 207 Chichester Road would far exceed the minimum standard as it provides 83 square metres, but to serve just 3 units.

It is considered that the living conditions of the residents of the proposed flats would be harmed. Although the amount of amenity space may exceed that used as a guideline by other Council's, it is the overall quality of amenity that is the issue. Arun does not have any policy on the amount of the informal open space laid out. It is considered that every application has to be considered on its merits and that sticking to a fixed amount of open space fails to convey the quality of amenity being provided. In this case, the amenity is mainly located to the frontages of the units open to passer bys with the resultant loss of privacy for occupiers and therefore it is considered to be of limited value. Some of the amenity space being provided on the frontage is adjoining car parking and turning areas. Moving vehicles, associated noise and vehicle fumes are not considered make these areas appealing to use. Further these areas are crossed by foot ways. Private amenity areas are shown but are considered contrived and hemmed in by boundary treatments making them unattractive and poor in the officers view. In one instance, the private amenity space for one unit is located behind that of another unit. Noise and disturbance from the use of this area would

be unneighbourly especially given the existence of a high level window south elevation of the end of westernmost unit.

Further harm to amenity would be caused by the loss of light and poor visual outlook for the rooms to the rear of the units. A number of the rooms abut fences or in one instance face onto the amenity area of another unit. The application has been revised to incorporate so called habitable areas to the front of the units. However the kitchen areas to the rear are considered to be habitable areas by reason of their size and layout. This is considered to give rise to inadequate living conditions for the occupiers.

The Inspector at the recent Appeal did not raise an objection on amenity grounds but no such issue was brought to his attention and therefore the Inspectorate had any reason to comment.

Removal of a Commercial use

The existing use is a local building contractors. A residential use of the building appears sensible as this will reduce the disturbance and activity associated with the current use of the building. However this is not considered to outweigh the harm created by the the harm identified above to amenity.

Car Parking

Given the nature of the accommodation, one bed units, and the location of the site on a road accessed by public transport, it is considered that the car parking provision is adequate. County Highways have raised no objection.

Summary

The proposed development is considered to give rise to an unsatisfactory amenity to the potential residents of the flats through poor quality provision of amenity space through layout, design and siting, and poorly designed living environments arising from openings facing onto fencing and amenity area. The proposed development is considered in keeping with the character and appearance of the area. There are no objections on car parking grounds to the proposal. Although the proposal will result in the provision of low cost residential accommodation and removal of a commercial use, these considerations are not considered to outweigh the harm identified to amenity.

The application is recommended refusal for the following reasons.

RECOMMENDATION

REFUSE

- 1 The proposed extension and change of use of an existing office/storage building to three one bed units would result in inadequate amenity through poorly designed, sited and located amenity space, and in respect of rooms of the units, inadequate visual outlook and light, that would be detrimental to the living conditions of residents. The proposal would therefore be contrary to policy GEN7 of the Arun District Local Plan and PPS3 Housing and PPS1 Delivering Sustainable Development relating to achieving high quality housing and design .