

PLANNING APPLICATION REPORT

REF NO: BR/144/10/

LOCATION: 28 Highfield Road
Bognor Regis

PROPOSAL: Proposed change of use from class C3 (dwelling house) to class C4 (house in multiple occupancy) to be used as student accommodation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of four bed terraced dwelling from residential (C3) to a house in multiple occupation (C4). The applicant has confirmed there are proposed to be five occupants.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Brick wall to the front of the property. To the rear is fencing/wall with landscaping enclosing a small garden area.
SITE CHARACTERISTICS	Mix of single dwellings and houses that have been converted into flats. There is a small nursing home on the opposite side of Highfield Road.
CHARACTER OF LOCALITY	Two storey residential area.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Bognor Regis Town Council - Objection of the grounds that this would be over intensive and that the property is not suitable as a House in Multiple occupation. Precedent would be set. Concerns raised over parking on an already congested road.

One letter of objection signed by the occupants of nine properties in Highfield Road objecting on the grounds of more cars in the road, insufficient on-street car parking and noise disturbance.

Comments on Representations received:

The grounds of objection are noted as valid concerns. However, Officers' views are that the scale of the proposed change of use would not be significantly different from a use that could take place at the property without the need for planning permission - the property could be

used by a large family without the need for planning permission and whilst this may not be the likely scale of activity it is, for planning purposes, the 'fall back' of the maximum permissible scale of activity.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Within Built Up Area

DEVELOPMENT PLAN POLICIES

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
PPG24	Planning and Noise

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 proposals require planning permissions for a change of use under the current planning legislation as a House in Multiple Occupation (HMO) is a different use class to residential that does not benefit from permitted development rights. Use Class C4 was introduced in April 2010

by Circular 5/2010.

However, in June 2010 the new Government has announced that;

'The definition of a small HMO (the C4 use class) will remain and permitted development rights will be extended to allow all changes between the C4 and C3 classes without the need for planning applications. In areas where there is a need to control HMO development, local authorities will be able to use an Article 4 direction to remove these permitted development rights and require planning applications for such changes of use.

These proposals will mean that any change of use between dwelling houses and small HMOs will be able to happen without planning permission unless the local council believes there is problem with such development in a particular area. In these areas they will be able to use Article 4 powers to require planning permission.'

These changes are proposed to come into effect on 1 October 2010 but require new legislation before they are introduced. There is therefore no requirement to consider these proposals because they are just proposals at this stage. The current Circular 5/2010 requires the application proposals to obtain planning permission and it is on this basis the application is required to be determined.

Visual/Residential Amenity:

No external alterations are proposed to the dwelling. The property is an existing four bedroom property and could, without the need for planning permission, accommodated a large family. The potential number of occupiers would be similar to a large family who could occupy the dwelling. Thus the comings and goings associated with the occupiers would be little different to the use of a single dwelling house.

Car Parking:

The site is in a sustainable location and there are no parking restrictions in the area. Whilst there are no off street parking spaces available for the majority of properties in Highfield Road, car parking requirements for the proposed use is not considered significantly greater than a large single dwelling house. The proposed change of use is considered similar in intensity to a level of activity that could be associated with a large family and it is not considered that there will be a material intensification sufficient to justify a refusal of planning permission.

Summary:

There is an acknowledged requirement for student accommodation in Bognor Regis and the application property is located in an excellent location to serve this requirement. There is not considered to be any significant amenity harm arising from the proposal and the car parking requirement for multiple occupancy would not be significantly greater than the existing use as a dwelling house. It is therefore recommended that the application be 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 Details in writing shall be submitted to and approved by the Local Planning Authority for secured cycle storage and bin storage within two months of the date of approval. The areas of land so provided shall not thereafter be used for any purpose other than the secure storage of cycles and bin storage.

Reason: To provide sustainable transport options and to safeguard the appearance of the property and the amenities of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The use hereby approved shall be for the benefit of five occupants only.

REASON: To protect the amenities of the locality and adjoining property in accordance with Policy GEN7 of the Arun District Local Plan.

- 4 This permission relates to the following plans

Estate Agent documentation including location plan but excluding internal layout plan
Proposed Internal Layout dated 27/7/10

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

- 5 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.

RELEVANT POLICIES

LOCAL PLAN: GEN7 GEN12

NATIONAL POLICIES: PPS1

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