

Ref: BR/159/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- Erection of 2 no. 3 bedroom houses and 2 No. flats & associated parking (Amendments to previously approved scheme BR/346/05/ re-siting of building and additional flat). Normanton Mews (Adjoining 9 Normanton Avenue), Normanton Avenue, Bognor Regis.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.05 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	80 units per hectare approximately.
TOPOGRAPHY	Slightly undulated.
TREES	None to be affected by the proposed development.
BOUNDARY TREATMENT	1.8m temporary wire fencing surrounds the application site.
SITE CHARACTERISTICS	Development currently under construction. Two storey building, with red brick walls and a partly constructed roof.
CHARACTER OF LOCALITY	Residential area. Surrounding properties are varied in style and size, with detached and semi-detached properties. Opposite the application site to the north are newly constructed small semi-detached properties with a hard standing parking area to their frontages (ref: BR/189/03/).

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
BR/222/04/	Outline application for one two storey dwelling and garage.	Approved Conditionally 05-08-2004.
BR/228/05/	Conversion of house to four one bedroom flats and associated parking.	Approved Conditionally 10-08-2005.
BR/346/05/	Demolition of double garage and erection of two houses, maisonette, two garages and three parking spaces.	Approved Conditionally 23-11-2005.
BR/11/07/	Conversion of approved garages to one bedroom flat and amended vehicle parking.	Withdrawn 07-03-2007.

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	No Objection.
Local Groups	None
~~Three~~ 4 Letters of Objection	Would involve removal of garages which were an integral part of original approval; Will lead to loss of parking; Will lead to traffic problems; Will have an adverse effect on all residents and on the visual amenities and character of the surrounding area; Overdevelopment of this corner site; Works taking places prior to planning permission being granted; Lack of amenity space.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	No objection, subject to suggested conditions. The existing permission is for the provision of 2 x 3 x bed houses and 1 x 1 flat. It is also noted that new dwellings are already under construction. The current application seeks to increase the number of units by a single 1 x 1 flat. Some of the proposed car parking, primarily the garages are thought to be lost to facilitate the new flat. Hence whilst the number of units is being increased, the actual number of off-street spaces is to be reduced. Even so, a ratio of 1 space per dwelling will be achieved and based on the WSCC Car Parking standards the provision is well within the acceptable level. If additional on-street car parking does result from this proposal, it is unlikely to materially alter the existing on-street car parking situation.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, DEV1, DEV5, CH1, NE17. Arun District Local Plan: GEN7, GEN12.

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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.

COMMENT ON CONSULTATION RESPONSES

The conditions suggested by County Highways will be added to any approval on the site.

COMMENT ON REPRESENTATIONS RECEIVED

Adequate parking provision has been proposed for the development, in accordance with adopted parking standards and Government advice. In addition, the County Highways representative has no objection to the proposal from a highway safety perspective.

There is no legislation that states that applicants cannot apply for retrospective planning permission. The proposed development is similar to that previously approved under ref: BR/346/05/. The main difference is that the 2 No. garages and store would be converted to a 1 No. bedroom flat. It is considered that this proposal would not constitute an overdevelopment of the site and the proposed amenity space would be sufficient for 2 no. houses and 2 No. flats.

ASSESSMENT OF PROPOSAL**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 adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. The development proposed would also be afforded adequate off-street parking provision.

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.

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CONCLUSIONS

The application is for the erection of 2 No. 3 bedroom houses and 2 No. flats & associated parking. The application is for amendments to a previously approved application for the 'demolition of double garage and erection of two houses, maisonette, two garages and three parking spaces' (ref: BR/346/05/).

The site is located within the designated Built up Area boundary for Bognor Regis, where the principal of new development is considered acceptable in line with Policy GEN2 of the Arun District Local Plan.

The main difference is the conversion of 2 No. garages and a store at ground floor level to 1 No. 1 bedroomed flat. The primary consideration would therefore be the effect of one additional residential unit on the site. It is noted that the surrounding area is mixed in character, and further, permission for a maisonette has already been granted on the application site. It is therefore considered that the proposed addition of 1 No. flat would be acceptable and would not conflict with the established character of the surrounding residential area.

The proposal would not involve any external changes to the building. Further, it is considered that the addition of one additional unit would be unlikely to generate more noise disturbance than that existing and it is therefore concluded that this proposal would not detrimentally impact upon the residential amenities of any neighbouring property.

With regard to the loss of the garages, it is noted that adequate parking provision has been proposed for the development, in accordance with adopted parking standards and Government advice. In addition, the County Highways representative has no objection to the proposal from a highway safety perspective.

It is concluded that the proposal would not conflict with the established character of the residential area and would be acceptable. In addition, the development is in accordance with Government advice in PPS3, in that it makes efficient use of land.

It is therefore recommended that planning permission should be granted, subject to the conditions set out overleaf.

RECOMMENDATION
TOWN AND COUNTRY PLANNING ACT 1990

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RECOMMENDATION

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1**To Addressee****2****Site Address**

Normanton Mews
(Adjoining 9 Normanton Avenue)
Normanton Avenue
Bognor Regis

3**Description of Development**

Erection of 2 No 3 bedroom houses and 2 No flats & associated parking (Amendments to previously approved scheme BR/346/05 re-siting of building & additional flat)

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In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.



RECOMMENDATION

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- CONDITION 1** Within two months of the date of this permission, details of screen walls and/or fences shall be submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 2** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the dwellings shall not be extended in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 3** The first floor window on the northwest elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- CONDITION 4** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor level in the northwest elevation of the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 5** The dwellings hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 6** The accesses to the proposed site shall be laid out to provide visibility splays on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority. These splays shall be 2 metres by 2 metres on each side of each access proposed. No other work shall be carried out on the site until the above-mentioned sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 7** The dwellings hereby permitted shall not be occupied until all access(es) to the site other than hereby approved have been stopped up permanently and obliterated.

RECOMMENDATION

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Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 8 The dwellings shall not be occupied until the parking spaces and access 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 access facilities and parking.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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.

INFORMATIVE: The building shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the Local Planning Authority. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

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

STRUCTURE PLAN: LOC1, DEV1, DEV5, CH1, NE17.

LOCAL PLAN: GEN7, GEN12.

NATIONAL POLICIES: PPS1, PPS3, PPG13.

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

Case Officer: Miss C Forrest

