

Recommendation Report for Planning Permission

REF NO: BR/160/19/PL

LOCATION: Flat 1a
1 Queens Square
Bognor Regis
PO21 1SA

PROPOSAL: Change of use from house in multiple occupation (C4 House in Multiple Occupation) to 3 No. self contained flats (C3 Dwelling houses).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Change use from large HMO to two studio and one 2 bed self contained flats with a provision of 4 parking spaces and cycle storage for 6 bicycles. The conversion would involve external changes to the roof. One hipped roof dormer is proposed on the left side of front roof plane and two identical dormers to the rear roof plane facing to William Street.
SITE AREA	477sq. metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	84 dwellings/hectare
TOPOGRAPHY	Predominantly flat.
TREES	Property is situated within the area of TPO/BR/2/02
BOUNDARY TREATMENT	Timber panels to the sides, picked fence with gate to the front, brick wall to the rear.
SITE CHARACTERISTICS	The site is facing to Glamis and William Street and it contains a two storey semi-detached property with a habitable roof and a spacious parking space within Queens Square accessible from Glamis Street with 5 large trees on the site.
CHARACTER OF LOCALITY	Predominantly residential comprising detached, semi-detached and terraced two storey dwellings of a similar character and appearance and commercial within entrance from London Street. Semi-detached properties on the southern side of Glamis Street are very well set back facing to Queens Square.

RELEVANT SITE HISTORY

BR/221/50/A	Conversion To 2 Flats
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Approve
21-12-51

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

Bognor Regis Town Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Arboriculturist

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC - Highways does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Council's Arboriculturist: No response

Environmental Health: No response

COMMENTS ON CONSULTATION RESPONSES:

Comments noted; no objection, subject to condition.

POLICY CONTEXT

Designation applicable to site:

2 km Buffer from Site of Special Scientific Interest Bognor Reef

2 km Buffer from Site of Special Scientific Interest Felpham

Pagham Harbour Zone B

Tree Preservation Orders TPO/BR/2/02

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitagation
HDM1	H DM1 Housing mix
HSP4	H SP4 Houses in multiple occupation
TSP1	T SP1 Transport and Development
SDSP2	SD SP2 Built-up Area Boundary
WDM1	W DM1 Water supply and quality
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

There are no relevant policies in the Bognor Regis Neighbourhood Plan.

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 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 falls within an urban and residential area. It is defined as being part of the built up boundary area and as such is acceptable in principle subject to normal development control criteria such as residential amenity, highway safety and parking. It is also noted that the National Planning Policy Framework (NPPF) supports the 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.

NPPF TEST OF SUSTAINABILITY:

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental roles. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Paragraph 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. Furthermore, paragraph 49 states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".

The site is in a sustainable urban location and is within walking distance of train station and various local amenities including shops, schools and public houses. These walking routes also use adopted street pavements which are predominantly flat and have street lighting. It is therefore considered the proposal is environmentally sustainable as residents will not need to rely on the private car to access basic services & facilities. This environmental factor weigh in the scheme's favour.

It is considered the proposal is environmentally acceptable and offers economic & social benefits. It would therefore represent sustainable development.

DESIGN AND CHARACTER:

Arun Local Plan Policy D DM1 requires that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Central Government advice further indicates that more intensive development is not always appropriate and that design which is inappropriate in its context should not be accepted.

The proposed change of use would involve three small dormers which would sympathetically relates to and is visually integrated with the existing building. Therefore it is considered that both the proposed extension to the roof and the new use will not alter the character of the building particularly given its position within a Queens Square.

RESIDENTIAL AMENITY:

Arun Local Plan Policy D DM1 (3) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. One of the 'core planning principles' of the NPPF is to secure high quality design and a good standard of amenity (paragraph 17). Policy D DM1 requires

regard to be had to the amenity & living conditions of neighbouring properties.

As mentioned above, the external changes have been proposed resulting in one dormer to the front roof plane facing to the square and two facing to William Street, within a separation distance of approximately 20m from the residential properties on the opposite site of William Street. Therefore it is considered, that the privacy of the neighbouring properties would not be affected by the proposed development. Environmental Health officers have not raised any concerns as to how the arrangement of rooms in the three flats relate to each other.

INTERNAL & EXTERNAL SPACE STANDARDS:

It is necessary to assess the proposal against the internal space standards as set out in the Governments new Technical Housing Standards (Nationally Described Space Standard). The following is a list of the requirements versus the actual measured internal space for each of the flats:

Flat - No.of beds - Required Floor Space - Actual Floor Space

1	1	39m2	35m2
2	1	39m2	36m2
3	2	70m2	77m2

Flats 1 and 2 are below the required standard. However, this is considered acceptable in this case since these are an existing rooms and flats are proposed as a conversion.

In respect of external standards, none of 3 flats would have access to the private space however this is considered to be acceptable on the basis that the property is situated in the walking distance to the Hotham Park and the sea side. Furthermore, the situation is the same as per the current HMO use.

PARKING:

The West Sussex County Council Car Parking Demand Calculator advises that in this location the likely parking demand is for 4 spaces The WSCC Car Parking Demand Calculator indicates that the 3 flats would create a demand for 3 parking spaces, with an additional 4th parking space for visitors. Secure and covered cycle storage for 6 bicycles was demonstrated in the plans. The property does benefit from 4 allocated parking spaces and therefore comply with policy T SP1 of Arun Local Plan.

IMPACT ON PAGHAM HARBOUR:

This proposal seeks to convert an existing six bedroom HMO into one 2 bedroom and two studio flats. The current occupancy allows more than six unrelated people living together as a household. There would be a net reduction in the number of bedrooms and for this reason, a Pagham Harbour contribution would not be appropriate.

SUMMARY:

The proposal seeks to convert an existing building with modest external alterations. It is recognised that no all flats would meet the Nationally Prescribed Space Standards in respect of internal space or private garden. However, given the sustainable location and the layout of the proposed flats, it is considered that an exception can be made and a certain flexibility can be accepted.

A recommendation to approve is therefore made subject to the following conditions.

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:
 DRW P 01 Rev A 'Block and Location Plan'
 DRW P 03 Rev B 'Plans as Proposed'
 DRW P 04 'Elevations as Proposed'
 DRW P 06 'Cycle and Bin Store Details'

 Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems.
 The approved scheme shall thereafter be implemented prior to occupation of the proposed flats use and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until secure cycle parking as shown on the approved plans has been provided. The cycle parking shall be retained unless otherwise agreed by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policies T DM1 and T SP1 of the Arun Local Plan.

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.