BR/163/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Decking construction for events and other activities. Shingle area adjacent to The Promenade, Bognor Regis.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The area measures approximately 5.7m x 5.6m. The railing sleeper's base is already laid as is part of the decking fixed to the sleepers.
SITE AREA	36 sq. m.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None
BOUNDARY TREATMENT	None
SITE CHARACTERISTICS	Part of shingle beach. Decking already in position.
CHARACTER OF LOCALITY	Beside the promenade. Four storey block of flats on the other side of the road.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	Applicants
Local Groups	None
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Engineers	No objections to the application in principle. However, (1) the deck should not be anchored/fixed to the seawall or groyne; (2) there is no guarantee that the site will always have the same level of shingle (i.e. may be scoured); (3) arrangements should be made before construction for dealing with the structure in the event of scour - to be agreed with Engineers.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Concessions Officer	Decking in this vicinity is not suitable to leave down during the winter as it could become unstable due to shingle movement. Other decking areas on the shingle in the area are not left down during the winter months, they are removed and replaced each year. This area of decking must be maintained, cleaned and insured by the Town Council on a regular basis.
Events Development Officer	• If permitted, the Bognor Regis Town Council must be responsible for the decking at all times, maintenance, staining, treating, graffiti, insurance, removal of shingle etc. • Arun District Council will not be liable for any liability claims from activities held on the decking. • If event organisers wish to use the area do they have to seek permission from Bognor Regis Town Council for the decking and then Arun for the land, how will it work? Who will be responsible if there are any complaints from activities on the decking? • Would there be an agreement as to how often it should be maintained. • How many activities would be permitted on the decking annually? • Will this set a precedent?

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Class 'C' Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1, NE11, ERA4
Arun District Local Plan : GEN7, GEN10, DEV34

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
Good Practice Guide on Planning for Tourism.

POLICY COMMENTARY

The above policies combine to give the Development Control criteria against which applications of this nature will be judged that is whether there will be an adverse effect on the visual and residential amenities of the area.

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COMMENT ON CONSULTATION RESPONSES

The matters of maintenance of the shingle and the decking are not material planning considerations but are matters that should be considered under the terms of any lease as the Council are the landowners.

COMMENT ON REPRESENTATIONS RECEIVED

None

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 there will no adverse effect on the visual or residential amenities of the 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

The site lies within the built-up area as defined in the Arun District Local Plan where the principle of development would be acceptable subject to normal Development Control criteria being met.

The decking, part of which is in place, will not have an adverse effect on the visual amenities or character of the area. The flats on the opposite of the road are a sufficient distance (50 metres) away for any activities that take part on the decking will not have an adverse effect on their residential amenities by reason of noise or nuisance.

It is, therefore, recommended that the application be approved subject to the Conditions set out overleaf.

Owing to the statutory period not expiring until 12th July 2007, it is recommended that the decision be delegated to the Head of Planning Services in consultation with the Chairman of the Committee.

BOGNOR REGIS BR/163/07/

Decking construction for events and other activities.

Shingle Area adjacent to
The Promenade
Bognor Regis

RECOMMENDATION

Approve Conditions

1 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: DEV1, LOC1, NE11, ERA4,

LOCAL PLAN: GEN7, GEN10, DEV34,

NATIONAL POLICIES: PPS1, Good Practice Guide on Planning for Tourism.

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