

Recommendation Report for Planning Permission

REF NO: BR/166/15/PL

LOCATION: 3 & 4 Queens Square
Bognor Regis

PROPOSAL: Change of use of properties from 10 HMO units to 2no separate bed & breakfast accommodation units each having owners accommodation & communal lounge & dining areas at ground floor & 7 B&B bedrooms at first & second floor

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal involves no external alterations other than a hard surface in the rear gardens for parking. Front communal gardens are provided for both units. 4 off street parking spaces are provided for each unit which would have 7 guest bedrooms and one bedroom/living accommodation unit for the owners of the B&Bs.

SITE AREA

1059m²

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of significance affected by development.

BOUNDARY TREATMENT

1.8m close boarded boundary fence to front and front side boundaries. 1.8m red brick wall to rear boundary (facing William Street).

SITE CHARACTERISTICS

Two storey semi-detached buildings used as HMOs with rear dormer windows and accommodation in the roof. Pebble dash render to upper floors, sash windows and white render to ground floor. The properties have a large communal garden to front bounding Queens Square/Glamis Street and rear gardens with driveways.

CHARACTER OF LOCALITY

Suburban residential. Properties are in general two storey semi-detached and terraced with front and rear gardens and off street parking.

RELEVANT SITE HISTORY

No relevant planning history.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Environmental Health

Economic Regeneration

Consultations responses received:

Economic Development-

Keen to encourage any application which creates or retains quality tourist accommodation and would support this application. Tourism Officer would be willing to work with the applicant to ensure the accommodation meets quality standards which will allow it to have the best chance of success and for it to be promoted via Sussex by the Sea Tourism web site and marketing services.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

No Public Sewer

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [DEV34](#)
 [GEN12](#)
 [GEN2](#)
 [GEN7](#)

Tourist Accommodation and Attractions
Parking in New Development
Built-up Area Boundary
The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

SD SP2 Built-Up Area Boundary
TOU DM1 Tourism Related Development
TOU SP1 Sustainable tourism and the visitor economy
T SP1 Transport and Development

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed

according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

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. It would also promote tourism in 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

PRINCIPLE

The principle of conversion to Bed and Breakfast (Hotel) is acceptable as the site is within the built up area boundary and policies support the increase in tourist accommodation. There has been a loss of hotel units in Bognor in recent years so any replacement tourism floor space is welcome. Economic Development have supported the change of use.

DESIGN AND IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY

The proposal will see no external alterations other than hard surfacing to the rear gardens to provide off-street parking. There will be very limited impact on visual amenity and neighbouring residential amenity and is considered to be acceptable.

FLOODING

A condition is proposed ensuring rear parkings are permeable/provide soak-aways within the site for water to egress slowly into the ground. This will limit the risk of surface water flooding.

PARKING

The proposal provides 4 parking spaces for each bed and breakfast unit. This is considered to be an acceptable amount for the bed and breakfast use. It is considered there will be less parking demand from the bed and breakfast use than the current use as an HMO.

The application is recommended for conditional approval.

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 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 is considered to have a neutral impact.

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:

Sheet 1- Location Plan
Sheet 2- Block Plan
Sheet 3- Proposed Site Plan
Existing Floor plans
Proposed Floor Plans

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

- 3 The proposed parking areas to the rear gardens shall be permeable or drain into a soakaway within the boundary of the site and not into public sewers.

Reason: To reduce the risk of surface water flooding and comply with the NPPF.

- 4 **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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.