

Recommendation Report for Planning Permission**REF NO:** BR/167/12/**LOCATION:** Harfield Court
Lyon Street
Bognor Regis**PROPOSAL:** Replacement doors to common parts entrance & new entrance ramp**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Application seeks consent for replacement doors to common parts entrance and new entrance ramp.
SITE AREA	Approximately 1500 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Low brick wall, approximately 200mm high, to front boundary.
SITE CHARACTERISTICS	3-4 storey modern block of flats constructed from brick with a flat top mansard roof. There is a retail unit at ground floor level (bridal shop) and a parking area to the rear with 36 parking spaces.
CHARACTER OF LOCALITY	Edge of Bognor Regis Town Centre comprising a mix of residential and small scale commercial uses.

RELEVANT SITE HISTORY

BR/79/63	Ground floor shop estate agents office first floor living accommodation office	Approve 09-07-1963
BR/79/63/A	Use of 1 ground floor room as shop	Approve 20-01-1965
BR/599/79	Outline for residential/retail development comprising 16 x 1 bed flats & 13x2 bed flats showroom shopping area garages	Approve Conditionally 21-11-1979
BR/821/80	Home improvement centre for the retail sale of D.I.Y home improvement builders merchants garden & associated products	Refused 10-12-1980

BR/841/80	O/A for the erection of 27 1 bed flats and retail shopping space	Approve Conditionally 10-12-1980
BR/320/81	Details in pursuance of BR/841/ 80 for construction of road and parking area	Approve Conditionally 06-05-1981
BR/102/82	O/A for 33 one Bedroom flats shopping area and associated vehicle parking	Approve Conditionally 09-07-1982
BR/375/82	Details in pursuance of BR/102 /82 for 15 no 1 bedroom flats and shopping space	Approve Conditionally 15-09-1982
BR/112/83	Details in pursuance of BR/102 /82 18 no 1 bedroom flats	Approve Conditionally 30-03-1983
BR/227/83	Use of approved double garage as shop premises and provision of 3 car parking spaces	Approve Conditionally 27-04-1983

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Class B Road

Class C Road

Within built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)

Built-up Area Boundary
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

The Emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

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

The application seeks consent for the insertion of sliding glazed, powder coated aluminium doors on the east elevation of the building to the common parts entrance and the installation of a ramp in lieu of stepped access. This will enable wheelchair access to the flats.

DESIGN AND VISUAL AMENITY

The surrounding area comprises a mix of flats, dwellings and small scale commercial/retail uses. The main entrance to the building is recessed back from the street frontage on Lyon Street and is not clearly visible within the streetscene.

The installation of sliding doors to the main entrance will therefore have very limited impact on the streetscene and is in keeping with the modern character of the building. The site is on a gradual incline with the main entrance currently served by steps. The ramp access will serve the main entrance and will be finished in concrete slabs and tarmac with a metal handrail, 900mm high. The impact on the streetscene and visual amenity is limited. The proposal is not considered to adversely affect the character of the area.

RESIDENTIAL AMENITY

The proposal is not considered to adversely impact the residential amenities of neighbouring ground floor flats to the north or the A1 retail unit (bridal shop) to the south.

It is therefore recommended that consent is granted, subject to the following conditions.

HUMAN RIGHTS ACT

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) 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 (positive) have been identified upon those people with the following protected characteristics (disability).

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: Location Plan, drawing no. SBS/117/03 Site and Block Plan, drawing no. SBS/117/01 Existing and Proposed Entrance Plans, drawing no. SBS/117/02 Existing and Proposed Front Elevations, received on 4 July 2012.

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 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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, GEN2

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.