

Recommendation Report for Planning Permission

REF NO:	BR/175/20/PL
LOCATION:	23 Mead Lane Bognor Regis PO22 8AP
PROPOSAL:	Change of use from Student Accommodation to 3 no. dwellings, comprising 1 no. one bed apartment, 1 no. two bedroom house and 1 no. three bedroom house (resubmission of application BR/99/20/PL). This application may affect the setting of a listed building & affects the Upper Bognor Road & Mead Lane Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the change of use of the building from a 6 bed student house in multiple occupation to 3 dwellings of varying sizes comprising 1 No. 1 bed apartment within the existing single storey extension, 1 No. 2 bedroom house & 1 No. 3 bedroom house. The application includes internal changes to the layout and some minor external alterations. These include the addition of a canopy over the side entrance door to unit 1 (south elevation), minor changes to fenestration details, the addition of a door for access purposes and proposed roof lights to the rear elevations for natural light. The intention is for all materials to match existing. The application includes a parking capacity assessment.
SITE AREA	0.03 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	100 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1m high walling to front and 2m high walling to side adjacent to car park
SITE CHARACTERISTICS	The site contains one building which has two parts. The first (southern) element is a two-storey house dating to the late C19th or early C20th. It has pebbledash and brick dressings to the eastern elevation, along with a rendered side wall to the south elevation and a natural slate roof. The second (northern) element consists of a single storey barn type structure. It is constructed in flintwork with a brick north elevation and plain clay tiled roof. Car parking area adjacent to southern

boundary.

CHARACTER OF LOCALITY

Predominantly residential. The building fronts onto the north-south section of Mead Lane. The character of this part of the conservation area derives from its tight knit, small scale, dwellings of mixed age, materials, design, size and siting with limited pavements; and flint boundary walling.

RELEVANT SITE HISTORY

BR/99/20/PL	Change of use from Student Accommodation to 3 No. dwellings, comprising 1 No. 1 bed apartment, 1 No. 2 bedroom house & 1 No. 3 bedroom house. This application affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area & may affect the setting of a Listed Building.	Refused 07-07-20
BR/60/98	Change of use from class B1 to student accommodation	ApproveConditionally 16-07-98

Application BR/99/20/PL was refused for the following reasons:

The proposal would not make adequate provision for parking on site and would therefore increase the pressure for on-street parking in the area where insufficient space is available adversely affecting residential amenity in conflict with policy TSP(d) of the Arun Local Plan.

Having regard to the layout of unit 3 and the lack of non obscured windows and openings the proposed conversion would give rise to an unsatisfactory environment for the occupiers in conflict with policy QE SP1 of the Arun Local Plan.

The proposed development fails to make an adequate contribution towards accessible new green spaces for recreation and management at Pagham Harbour in conflict with policy ENV DM2 of Arun Local Plan.

To counter these reasons for refusal the glazing to windows in the east elevation has been amended to delete reference to obscure glazing, a parking capacity assessment of the local area has been prepared by Paul Basham Associates (transport consultants), which identifies the available capacity on the local road network and the application is also supported by a draft legal agreement, which is now completed.

REPRESENTATIONS

No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No Objection.
Conditions requested.

County Highways - No Objection

Condition relating to cycle parking requested. The proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts 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.

Environmental Health - No Objection

Economic Development - No Comment

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Built-Up Area Boundary
Pagham Harbour SIINC Zone B
Conservation Area

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
HSP1	HSP1 Housing allocation the housing requirement
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
QESP1	QE SP1 Quality of the Environment
WMDM1	WM DM1 Waste Management
TSP1	T SP1 Transport and Development
ENVDM2	ENV DM2 Pagham Harbour
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

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.

There are no relevant Bognor Regis Neighbourhood Development Plan policies.

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 not adversely affect the residential amenity of proposed occupiers or neighbouring properties and would have no adverse effect on the character of the area or visual amenity.

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act states: "In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

Policy SD SP2 of the Arun Local Plan (ALP) states that development should be focused within the BUAB and will be permitted, subject to consideration against other policies in the Development Plan. The site is located in the Built-Up Area Boundary. The proposed change of use in this location is acceptable in principle, subject to consideration against other relevant policies of the Development Plan.

HOUSING SUPPLY

Housing supply policy H SP1 of the ALP sets out the housing requirement for the District, stating that within the Plan period 2011-2031 at least 20,000 new homes will be accommodated. The LPA currently has a 2.9 year housing land supply (i.e. below the required 5 year HLS). The addition of 3 units, resulting from the conversion of student accommodation, would be welcomed since it adds to housing supply in the District and accords with housing supply policy H SP1 of the ALP.

DESIGN

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees and crime prevention. Policy D DM4 of the ALP sets out policy specifically in relation to alterations and extensions to existing buildings. This includes that extensions and alterations appear visually subservient to the main building and sympathetically relate to and are visually integrated with the existing building in terms of siting, scale, form, massing, design and materials. The Arun District Council Design SPD is due to be adopted in late 2020 and provides detailed design guidance for developments in the District.

Paragraph 122 of the National Planning Policy Framework (NPPF) supports development that makes effective use of land and achieves appropriate densities, whilst taking into account the need for different types of housing, local market conditions and viability, the availability and capacity of infrastructure and services, and the desirability of maintaining the areas prevailing character and setting. Paragraph 127 details the design requirements for new development.

It is considered that the internal alterations will not cause harm to the attractive building and ensure that it retains an appropriate use. Likewise, the external alterations are on the whole, relatively minor. The subdivision into 3 units would not be readily discernible in the street and would not result in harm to the appearance and character of the area. With imposition of conditions relating to the fenestration changes and use of materials could be conditioned to ensure that they closely reflect those of the existing building and are visually integrated.

The proposals have an acceptable impact on the visual amenity of the area, in accordance with the NPPF and policies D SP1, D DM1 and D DM4 of the ALP.

RESIDENTIAL AMENITY

Policy D DM1 of the Arun Local Plan states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. D DM4 includes that extensions and alterations do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Policy QE SP1 states that the Council requires development does not have a significantly negative impact upon residential amenity. Paragraph 127 (f) of the NPPF states that development should have a high standard of amenity for existing and future users.

This proposal seeks to convert an existing building from student accommodation into 3 no. independent units of accommodation. The relationship between the application building and neighbouring properties will remain unchanged as a result of the development; albeit the way the rooms and building are used will differ from existing, the overall use of the building and the type activity generated by its occupiers will not amount to a material change. The proposed use would be no more intensive than the current, permitted use as a 6-bed student accommodation use. Therefore, the proposals would be neutral in terms of its impact on neighbours by reason of activity generated by the use of the existing building. The proposed changes to fenestration also have no adverse impact on neighbouring residential amenity by reason of adverse overlooking or loss of privacy.

The proposal is therefore compliant with policies D DM1 and DSP1 of Arun Local Plan with respect to impact on adjoining residential amenity.

The layout of unit 3 is such that the living room is no longer the only room provided with an outlook. The bedroom windows are no longer proposed to be obscure glazed. This provides a better environment for future occupiers. The proposal would therefore comply with policy QE SP1 of Arun Local Plan which seeks to ensure that development does not have a significantly negative impact on residential amenity.

INTERNAL SPACE STANDARDS

Policy D DM2 of the Arun Local Plan states that the planning authority will require internal spaces to be of an appropriate size and that the Nationally Described Space Standards provide guidance.

The application proposes the change of use from 1 No. detached property (6 bedrooms) to 1 No. 1 bed apartment within the existing single storey extension, 1 No. 2 bedroom house & 1 No. 3 bedroom house.

The proposed units would have the following floor areas:-

- Unit 1: 86m² (ground floor 43m²; first floor 43m²);
- Unit 2: 79m² (ground floor 55m²; first floor 24m²); and
- Unit 3: 43m² (single storey).

The national guidance advises that a three bedroom, 4 person occupancy, two storey dwelling should have a gross internal floor area of 84m². Unit 1 exceeds these space standards at 86m².

Unit 2 comprises a two bedroom, 4 person occupancy, two storey dwelling and meets the space standard at 79m². Unit 3 is a one bedroom, 1 person occupancy apartment over one level and marginally exceeds the space standards for this form of accommodation by 4m².

The proposals would accord with the National internal space standards and provide internal space of an appropriate size, as required by policy D DM2.

EXTERNAL SPACE STANDARDS

Whilst the Council does not have specific external space standards, the supporting text to ALP policy D DM2 refers to the emerging Arun Design Guide SPD (due to be adopted late 2020), which includes guidance on external space standards, and the need for planning applications to have regard to include adequate provision of private external space.

Paragraph H.04 of the emerging Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states that rear gardens should have a minimum depth of 10.5 metres and buildings should be set back by 2m from the plot boundary to mark defensible space.

Regard should be had to paragraph 127 of the NPPF which states "Planning policies and decisions should ensure that developments (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users".

Each property would have an area of private amenity space to the rear (Unit 1; 36m²; Unit 2: 48m²; Unit 3: 28m²). The gardens would be of an appropriate size and shape to provide usable and enjoyable private external amenity space, in accordance with policy D DM2 and the SPD.

BIN STORAGE

Policy WM DM1 of the Arun Local Plan advises that all new residential development, including flat conversions, will be permitted provided that:

(a) it is designed to ensure that kerbside collection is possible for municipal waste vehicles

Development proposals must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins.

Alternatively one 240 litre wheelie bin for each property can be provided.

The same amount of storage space/bins for recyclable materials is required to be provided.

The proposed ground floor plan shows the provision of bin storage, 2 per unit, within the rear garden area to serve the properties. The proposals would make adequate waste provision, in accordance with policy WM DM1.

HIGHWAYS AND PARKING

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

Arun District Council has recently adopted its own Parking Standards SPD (Jan 2020).

Regard should be had to paragraph 109 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Policy 106 refers to maximum parking standards for residential and non-residential development.

WSCC Highways raised no objection in terms of impacts of the proposals on the safe and effective operation of the highway network.

The site is situated in a sustainable location, within walking distance of shops, schools and other amenities. Public transport links, such as Bognor Regis Train Station and bus services are also within walking distance. Cycling is a viable option in the area.

No electric vehicle charging points are required since neither of the proposed houses has a driveway or garage.

The applicant proposes a nil car parking provision, which is the existing arrangement, but student accommodation is unlikely to generate a similar level of parking demand as now proposed. Under Arun Parking Standards (adopted January 2020), four car parking spaces should be provided for the proposal. Whilst on-street car parking is limited in the immediate vicinity, there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. However it is very likely that some car ownership would result from occupiers of the units and the additional parking demand could adversely impact amenity.

Although the proposal would be contrary to the guiding principles for developments in relation to car parking in that the proposed parking provision is not sufficient to accommodate the increasing on street parking demand and would adversely affect the residential amenity of existing residents in the area the application is supported by parking capacity survey which demonstrates that there is sufficient capacity to accommodate the expected demand. The site is sustainably located, but some car parking demand will result from 3 units in this location, particularly given that 2 of the units are houses capable of family occupation. Heavy reliance is placed on the site's sustainable location, by the agent, and the increase in parking demand has now been sufficiently addressed to ensure the impact on road safety is not minimised by the proposal.

In terms of cycle parking, each dwelling will be provided with a cycle shed, with space for at least two

cycles. As such, this proposal meets the Arun parking requirements for cycle parking. The inclusion of secure and covered cycle parking will promote the use of sustainable alternative modes of transport to the private car and provision is conditioned.

The proposal would therefore comply with policy T SP1(d) of Arun Local Plan which requires incorporation of appropriate levels of car parking in line with adopted standards and consideration of the impact of on street parking.

IMPACT ON THE CHARACTER & APPEARANCE OF THE CONSERVATION AREA

Policy HER DM3 states that planning permission will be granted for development which preserves or enhances the character and appearance of a Conservation Area or its setting. The proposal includes only minor external changes.

Furthermore, paragraph 193 of the NPPF states that when considering the impact of a proposed development on Conservation Areas, great weight should be given to conserving the heritage asset. Significant features can be harmed or lost through alterations. Paragraph 195 states that where a proposed development will lead to substantial harm to the heritage asset, it should be refused.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Since the proposed change of use does not involve significant external changes and the existing windows and doors would be retained it is considered that the proposed development is acceptable and it will not harm the heritage asset. The Conservation Officer has not raised an objection. Of note is the lack of openings in the flint element of the building which fronts onto the lane. Likewise, the brick elevation of the northern element of the building which is clearly visible from the corner of the lane. The combined elements of the building make a positive contribution to the street and therefore the character and appearance of the conservation area is preserved. As no harm has been identified it is not necessary to consider paragraphs 195 or 196 of the NPPF.

PAGHAM HARBOUR SPA

Policy ENV DM2 requires that new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The site is located in designated Zone B and, as such, it is necessary to apply this requirement. The net increase in 2 dwellings results in a requirement for a financial contribution of £1742. This has been secured by a signed Section 106 legal agreement. The proposals therefore accords with Local Plan policy ENV DM2.

SUMMARY

The proposal is considered to comply with Arun Local Plan in that makes adequate financial contributions towards Pagham Harbour, makes adequate provision for car parking and has no adverse impact on residential amenity for the character of the area.

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.

SECTION 106 DETAILS

£1,742 towards the provision of accessible natural open green spaces and management to serve the Pagham Harbour (SIINC) area is required. The legal agreement has been signed.

RECOMMENDATION

- 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 and Block Plans revA
Proposed South and East Elevations
Proposed North and West Elevations revB
Proposed Ground Floor Plan revG
Proposed First Floor Plan revB
Proposed Roof Plan revA
Proposed Cycle Storage Plan
Existing Ground Floor Plan
Existing First Floor Plan revA

Existing South and East Elevations
Existing North and West Elevations

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 until covered and secure cycle parking spaces have been provided in accordance with the plans and details that have been submitted to and hereby approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy TSP1 of Arun Local Plan.

- 4 The materials of the infilled northern brick wall of the northern element of the building shall match in terms of colour and appearance to the existing wall, and details of the proposed brick bonding shall be submitted to and approved by the Local Planning Authority prior to the wall being infilled. The development shall proceed in accordance with the bonding details so approved and be retained thereafter.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.

- 5 No development above damp proof course (DPC) level shall take place unless and until a schedule of new joinery details have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in the conversion and retained thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies D DM1 and HER DM3 of Arun Local Plan.

- 6 The rooflights hereby permitted shall be of conservation standard; flush mounted with a vertical glazing bar details of which shall be submitted to and approved by the Local Planning Authority prior to installation and the development shall, proceed in accordance with the details so approved. The approved roof lights shall then be permanently retained thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies D DM1 and HER DM3 of Arun Local Plan.

- 7 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.

- 8 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to mitigation of impacts of the development on Pagham Harbour.