

Recommendation Report for Planning Permission

REF NO: BR/197/18/PL

LOCATION: The Co-op
152-156 Hawthorn Road
Bognor Regis
PO21 2UR

PROPOSAL: Alteration to shopfront

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Alterations to the shopfront to include new entrance doors and adjacent panels and new rear delivery doors. Internal alterations, shown on the submitted plans but not forming part of this application, include window graphics with a reverse printed pattern with white-grey fades, new internal window and door shutters and internal railings for screen protection. Advertisement consent has already been granted under BR/196/18/A.
TOPOGRAPHY	Predominantly flat.
TREES	The site is covered by TPO/BR/1/76 but no trees will be affected by this proposal.
BOUNDARY TREATMENT	The front (southern) elevation faces the car park area and a path leading to Jasmine Court. The side (eastern) elevation borders Hawthorn Road and is defined by a public footpath.
SITE CHARACTERISTICS	A three storey detached building with red brick elevations and a pitched tiled roof. The current permitted use for the site is a retail unit on the ground floor with residential apartments above.
CHARACTER OF LOCALITY	Mostly residential with two-storey terraced properties of mixed types. There is also a parade of shops in the road a short distance away.

RELEVANT SITE HISTORY

BR/184/08/A	2No. externally illuminated fascia signs & 1No. internally illuminated projecting sign	ApproveConditionally 25-07-08
BR/181/06/	Replacement Co-op community supermarket plus 24 apartments, parking & change of use to garden.	App Cond with S106 30-08-06 REPORT(ODB)

Re-submission of BR/286/05

BR/196/18/A	Various illuminated & non-illuminated advertisements on various elevations.	ApproveConditionally 12-11-18
-------------	---	----------------------------------

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council
No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

POLICY CONTEXT

Designation applicable to site:
Built-up area boundary
Class C Road

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
SDSP2	SD SP2 Built-up Area Boundary

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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.

Policy 1 - Delivery of the Vision within the Bognor Regis Neighbourhood Development Plan is considered relevant to this application.

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

PRINCIPLE

The application is located within the built-up area boundary where the principle of development is acceptable subject to accordance with the relevant development plan policies as stated in SD SP2 of the Arun Local Plan. In this case the key policies are deemed to be D DM1 and D DM4 of the Local Plan.

ENV DM2 relating to Pagham Harbour has also been considered but it is not applicable to this site.

The relevant policies of the Bognor Regis Neighbourhood Plan have also been considered.

DESIGN & VISUAL AMENITY

The proposal seeks to replace the current sliding entrance doors with new full height sliding doors and adjacent panels painted in RAL7015, slate grey. The current metal rear delivery door would be replaced and also painted slate grey.

The windows of the flats at first floor level are currently finished in white so there would be a difference in the colours of the window and door frames on both levels. However, it is not considered that this would have an adverse effect on the visual amenity of the area and therefore complies with the aims of D DM1(3) by having minimal impact to users and occupiers of nearby properties.

RESIDENTIAL AMENITY

No additional doors or windows are proposed by this application, it relates to changes to existing only. Therefore there are no lack of privacy or overbearing issues to consider. The alterations would remain visually subservient in accordance with policy D DM4(b).

Overall, taking in to account the minimal changes involved, this development is not considered to have a significantly detrimental impact on the character of the locality in accordance with Policy D DM1

It is therefore recommended that the application be approved, 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:

SC-088-V1-GF-DR-K-0004 Rev B Existing external elevations.
SC-088-V1-GF-DR-K-0001 General arrangement.
001-088-101 Rev A Proposed elevations.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with D DM1 and D DM4 the Arun Local Plan.

- 3 **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.