

Recommendation Report for Planning Permission

REF NO: BR/202/19/PL

LOCATION: 11 Station Road
Bognor Regis
PO21 1QD

PROPOSAL: Conversion of first floor, extensions at ground & first floor & a new second floor within the new pitch roof to create Bed & Breakfast accommodation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The change of use of an existing first floor and extension of property to the top and to the rear resulting in a 11 bedroom Bed & Breakfast over two floors (the top within a roof space). All proposed bedrooms would include en-suites. The extension would fill the side from the bottom to the top. The agent was asked for amendments to mitigate impact of the proposed extension on the street view and the view from the Crescent Road which is predominantly residential with the properties of a different scale. The existing ground floor space will remain as commercial. Access to the bedrooms is via a new staircase to the rear of the property. The agent shows on the application form 4 existing parking spaces and later clarifies via email a capacity for 3 car parking within a parking bay to the rear of No9 with access from Crescent Road on a first come first serve basis. These spaces are outside the built up area.
SITE AREA	187 square metres
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	Mid terrace property with ground floor cafe and flat at first floor. The building is two storeys in light blue/yellow render with a flat roof with a single storey rear extension up to the end of the site. There are existing external stairs leading up to the first floor accommodation.
CHARACTER OF LOCALITY	The Station Road frontage is decidedly commercial with residential flats above. However, Crescent Road to the east and Merchant Road to the south are residential in nature. The site is within easy walking distance of the Bognor railway station, the beach and Hotham Park. The property adjoins with a tanning salon (No. 13) and a recruitment agency (No. 9). Both have flats above. The rear of no. 13 includes a storeroom accessed from the rear passage. The rear of no. 9 is occupied by a 4 bay parking area which is shared with the recruitment agency/first floor flat.

RELEVANT SITE HISTORY

BR/275/14/PL	Conversion & rear extension to part of ground floor to create 1 No studio flat & conversion of first floor flat to create 2 No 2 bedroom flats.	ApproveConditionally 05-03-15
BR/182/07/	Conversion of first floor and additions to create 3 No. flats (Resubmission following BR/8/07)	ApproveConditionally 05-09-07
BR/8/07/	Conversion of first floor and additions to create 6 No. flats	Refused 21-03-07
BR/106/06/	Proposed first floor conversion from storage area to 2 No. self contained flats	ApproveConditionally 16-05-06
BR/207/01/	Change of use to day centre for the homeless	Refused 02-11-01
BR/174/92	Replacement Shop Front	ApproveConditionally 11-08-92
BR/171/87	Temporary change of use for first floor only for two year period. Area to be used by charity for handicraft work.	ApproveConditionally 08-06-87

Since 2006 three applications for the conversion and extension of first floor for at least 3 flats has been submitted and approved, however none of them has been implemented and the first floor is gradually deteriorating.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection.

One letter of objection received:

Renting property No 9 Station Road and questioning the relationship of the proposal site to 4 existing parking spaces behind the property No 9.

COMMENTS ON REPRESENTATIONS RECEIVED:

No justification provided for the entitlement of using these parking spaces provided, as such they are not considered.

CONSULTATIONS

Economic Regeneration
 Environmental Health
 Engineers (Drainage)
 Engineering Services Manager
 Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Environmental Health does not have any objection, subject to conditions and informative attached

Engineers Comments Regarding Surface Water Drainage:

Due to the scale and location of development we have no conditions to request. Surface water drainage must be designed and constructed in accordance with building regulations.

Economic Regeneration: Economic Development is keen to support the provision of visitor facilities within the district. We would suggest that, if this development is permitted, the owners contact our Tourism Officer for assistance and advice with both the standard of the accommodation and marketing.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Pagham Harbour Zone B
 Principal Shopping Area;
 No Public Sewer; and
 Class C Road.

DEVELOPMENT PLAN POLICIES

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

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
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM2	ENV DM2 Pagham Harbour
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy

TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary

[Bognor Regis Neighbourhood Plan 2015 Policy 4](#) Reducing underuse of property in the town centre

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.

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.

The development would create Bed and Breakfast accommodation in the underused upper floors of a building in the town centre which is supported by Bognor Regis NDP policy 4:

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 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 site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan and provided it is in accordance with other policies of the Local Plan covering such issues as character, residential amenity, noise, highway safety & parking and space standards.

Regard should also be had to policy SD SP1 of the Arun Local Plan which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)."

Paragraph 118 (d) of the NPPF states that planning policies and decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops)".

It is considered that the site is in a sustainable location (town centre) within walking distance of a range of shops, facilities and services including bus stops, a large food store and a railway station therefore comply with policies SD SP2 and SD SP1 of the Arun Local Plan.

PLANNING POLICY ON SUSTAINABLE TOURISM AND VISITOR ECONOMY

Arun Local Plan policy TOU SP1 states that: "Sustainable tourism development will be encouraged where it protects as well as promotes the main tourism asset and encourages long term visitors interest/activity and ensures viable visitor economy.

It is noted that the area is mixed with residential and offices on the upper floors and commercial (a parade of shops) at the ground floor. The existing first floor would be converted and extended to the rear and to the roof resulting in 11 en-suite Bed & Breakfast accommodation. The proposed development will provide good quality, reasonably priced, furnished temporary accommodation for visitors within the district. The existing ground floor space will remain as commercial. The local facilities are more than sufficient to accommodate the potentially slight increase in occupancy. The first floor has not been occupied for many years and therefore public services and local business would benefit from an increase in the population. Therefore it is considered that proposed change of use would be beneficial for the area and would help to balance the provision of visitor facilities against the needs and would comply with policy TOU SP1 of the Arun Local Plan

CHARACTER OF THE AREA:

Policy D DM1 of the Arun Local Plan 2011-2031 requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual

improvement."

Furthermore, policy D SP1 "Design" states that: "All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required."

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)."

There are considerable changes proposed to the external appearance of this mid terraced property, extending to the top and to the rear and therefore it is relevant to consider the impact of this development on the established character of the area. The proposed roof ridge would be slightly higher than those of the neighbouring properties within terrace with two flat roofed dormers inserted to the front elevation. One dormer would be inserted to the rear and 4 dormers to the western elevation and 4 to the eastern. All proposed dormers would be of the same shape and size. Three new windows are proposed at the first floor level of the western elevation. Four roof-lights would be inserted to the flat crown of the proposed roof. The extension sympathetically relates to and is visually integrated with the existing building in sitting, massing and design, would respond to locally distinctive pattern of development. It is not therefore considered that the extended property as proposed would detract from the local and wider area's character.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1, D SP1 and with the guidance on character within the NPPF.

NOISE & RESIDENTIAL AMENITY:

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

Furthermore, policy QE SP1 states that: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District."

Policy QE DM1 seeks to protect against the impacts of new noise generating development. It states that: "Developers proposing new noise generating development must seek advice from an early stage to determine the level of noise assessment required."

It is not considered that a residential use, albeit an intensified one would be considered to be a noise generating form of new development. The use remains as residential (even though on the shorter time period bases) will therefore have similar characteristics to other residential properties within the locality.

Furthermore, with the property housing at least 11 unrelated people, it is considered highly likely that the occupiers will limit noise levels in order to avoid conflict with their housemates. Arun DC Environmental Health Officers have not raised any objections to the application.

There are three new windows proposed at the first floor level of north-western elevation within a separation distance of 6m from the existing habitable windows of No 15 and new dormer windows above, however it would be a temporary type of accommodation and condition would be imposed to the decision to keep these windows non-openable and obscure glazed up to 1.7m. Given the windowless flank elevation and obscure glazed bathroom further to the rear it is not considered that the proposal would cause any loss of privacy to users and occupiers of nearby properties.

As such it is considered that the proposal complies with Arun Local Plan policies D DM1 and QE SP1.

CAR PARKING & HIGHWAY SAFETY:

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

Paragraph 108 of the NPPF states that: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should also be had to paragraph 109 which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

No parking spaces and cycle storage are provided for the proposed development. The option is a local parking in Arun DC car parks and off-road parking with tickets if required during the day. These spaces are free from 5:00pm - 9:00am.

The proposed is a change from flat to 11 bedrooms Bed & Breakfast and given its sustainable location in Bognor Regis Town Centre with shops within walking distance. Bognor Regis Railway Station is opposite the site, where bicycles can be stored. Bognor High Street is approximately 340m away and bus stops here offer connections towards Felpham, Littlehampton and Chichester. Therefore it is considered that the proposal would satisfy policy T SP1 of the Arun Local Plan and with the guidance on highways within the NPPF.

INTERNAL & EXTERNAL SPACE STANDARDS

Arun Local Plan policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

However, the Technical Housing Standards (Nationally Described Space Standard) does not provide any relevant standards for Guest Accommodation and the regard should be had to Hotel Scheme/AA - the Common Quality Standards for either a Hotel or Guest Accommodation:

- All bedrooms that are smaller than the following sizes are unlikely to meet the minimum requirements
- Single 5.6sq.m (60sq.ft)
- Double 8.4sq.m (90sq.ft)
- Twin 10.2sq.m (110sq.ft)

These would all to be adhered to in order to receive a The AA Hotel quality assessment scheme.

The proposed bedrooms will meet current minimum space recommendations for bed and breakfast facilities and all the bedroom will include en-suites.

Minimum standard recommendations as below:

10.3 square metres for a twin bed room

8.4 square metres for a double room

5.6 square metres for a single room.

Proposed bedrooms (Bedroom size excluding en-suites)

Bedrooms 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 & 12 are bigger than 10.3 square metres

Bedrooms 6 & 13 are bigger than 8.4 square metres

Bedrooms 14 is bigger than 5.6 square metres

The proposal does not benefit from any rear garden, however Hotham Park and the beach are within a walking distance from the site. It is considered therefore that residents will be able to easily access outdoor places for recreation etc.

It is also considered that the proposal complies with the relevant internal and external standards.

IMPACT ON PAGHAM HARBOUR:

This proposal seeks to convert an existing flat into 11 bedrooms Bed & Breakfast (involving extension) There would be a net increase in the number of bedrooms, however not for a residential use therefore for this reason, a Pagham Harbour contribution would not be appropriate.

SUMMARY

The proposed conversion of the first and creation of second floor is considered to represent an efficient use of urban land and does so without compromising the visual amenities or character of the area, highway safety or the amenities of existing nearby residential occupiers. The proposal is considered to be sustainable development and also complies with all development plan policies. The recommendation to approve is therefore made 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:
 DRW PA-311-11, Rev A 'Proposed Ground Floor Plan'
 DRW PL-054-12, Rev A 'Proposed First Floor Plan'
 DRW PL-054-13, Rev A 'Proposed Second Floor Plan'
 DRW PL-054-14, Rev A 'Proposed Roof Plan'
 DRW PL-054-15, Rev A 'Proposed Front & Rear Elevation'
 DRW PL-054-16, Rev A 'Proposed Side Elevation'
 DRW PL-054-17, Rev A 'Proposed Sections'
 DRW PA-311-100, 'Indicative Side'

Received on 01/11/2019.

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 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

- 4 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first

approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 5 The proposed 3 windows on the north-western elevation of the building closest to the rear of No 13 and the 2 proposed dormers above them shall at all times be glazed with obscured glass/ fixed to be permanently non-opening up to 1.7m.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

- 6 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

- 7 Sound insulation between the floors shall achieve a minimum airborne sound insulation value of 50 dB (DnT,w + Ctr). Before the proposed B&B use can be operated, a test shall be undertaken by a competent acoustician and submitted to the Local Planning Authority to demonstrate compliance with this level.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan 2011 - 2031.

- 8 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- a. An indicative programme for carrying out of the works
 - b. Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works
 - c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 - d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - e. the parking of vehicles of site operatives and visitors
 - f. loading and unloading of plant and materials, including permitted times for deliveries
 - g. storage of plant and materials used in constructing the development
 - h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - i. measures to control the emission of dust and dirt during construction
 - j. a scheme for recycling / disposing of waste resulting from demolition and construction works
 - i.e. no burning permitted

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the

Arun Local Plan 2011 - 2031.

This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 9 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 10 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737555.
- 11 INFORMATIVE: The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. As the proposed development is being renovated to residential, the Council need to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure.