

Recommendation Report for Planning Permission

REF NO: BR/203/25/PL

LOCATION: Trevali
Belmont Street
Bognor Regis
PO21 1LE

PROPOSAL: Change of use from C1 (guest house) to C2 (residential home for children). This application may affect the setting of listed buildings and is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

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| DESCRIPTION OF APPLICATION | As above. |
| SITE CHARACTERISTICS | The site is a semi-detached property with an existing two storey rear extension. |
| CHARACTER OF LOCALITY | The site is in a predominantly residential area, close to Bognor Regis town centre, with some commercial and community uses. |

RELEVANT SITE HISTORY

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| BR/135/25/CLP | Lawful development certificate for the proposed change of use from C4 to C2. | PP Required 30-09-25 |
| BR/123/16/PL | Two storey rear extension to provide staff/owners accommodation (resubmission following BR/261/15/PL). | ApproveConditionally 02-08-16 |
| BR/39/16/PL | Single storey rear extension to provide staff / owners accommodation. Resubmission following BR/261/15/PL | ApproveConditionally 31-03-16 |

Planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - No objection.

No responses were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENTAL HEALTH - No objection subject to conditions.

Residential care homes for children can result in children with extra sensory needs being placed in a semi-detached property that is not designed for this purpose, such as this property. There is concern that the insulation in the house is not satisfactory to protect the neighbours from the noise this use will produce. Condition recommended regarding sound insulation.

ECONOMIC DEVELOPMENT- Objection.

The application results in a loss of holiday accommodation. There is no evidence of recent marketing information along with enquiries received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in the conclusions.

POLICY CONTEXT

Designation applicable to site:

Economic Growth Area

Built Up Area Boundary

Article 4

DEVELOPMENT PLAN POLICIES

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

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| HERDM1 | HER DM1 Listed Buildings |
| HERSP1 | HER SP1 The Historic Environment |
| TOUDM1 | TOU DM1 Tourism related development |
| TSP1 | T SP1 Transport and Development |
| QEDM1 | QE DM1 Noise Pollution |
| QESP1 | QE SP1 Quality of the Environment |
| DDM1 | D DM1 Aspects of form and design quality |

PLANNING POLICY GUIDANCE:

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| NPPF | National Planning Policy Framework |
| NPPG | National Planning Practice Guidance |

SUPPLEMENTARY POLICY GUIDANCE:

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| SPD11 | Arun Parking Standards 2020 |
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 the proposal would not result in harm to the character of the area, or unacceptable impacts on neighbouring occupiers. There is conflict with the tourism policy.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site is a semi-detached property close to the centre of Bognor Regis. The application is for the change of use of an existing building, and is acceptable in principle subject to compliance with relevant development plan policies.

LOSS OF TOURIST ACCOMMODATION

ALP policy TOU DM1 states that existing visitor attractions, facilities and accommodation will not be granted planning permission for a change of use that leads to the loss of a visitor offer unless it is demonstrated that the use is no longer required and the site unlikely to be reused or redeveloped for visitor purposes. The application description states that the proposal seeks a change use from C1 (guest house) to C2. The application would result in a loss of visitor accommodation, and the Council's Economic Development team have objected on this basis. A declaration has been submitted in support of the application, which states that the property ceased being a guest house in April 2021. From this time, the property was in unauthorised use as a small HMO. Whilst the lawful use of the property remains as guest accommodation is C1 use, the property has not been used as a guest house for several years, and so the application will not result in any actual loss of holiday accommodation. Therefore, whilst there is some technical conflict with ALP policy TOU DM1, the proposals would not result in any reduction to the visitor offer, and are acceptable in this instance.

CHARACTER

The application does not seek any external changes to the property, and its appearance would not be altered as a result of the proposals. The former guest house has 10 bedrooms, and so the change of use

of the property to a children's home for four children and one supervising adult would not result in an increase in occupancy. The change of use is also unlikely to result in an increase in comings and goings for this reason. The character of the use would be altered as a result of the change, however, this would not result in harm to the character of the area.

NEIGHBOURING RESIDENTIAL AMENITY

The former guest house has 10 bedrooms, and so the change of use of the property to a children's home for four children and one adult is likely to result in a decrease in the number of occupants. The Environmental Health team recommended a condition requiring details and provision of an enhanced sound insulation scheme. Given that the number of occupants is decreasing, and the property could be occupied by children as part of any residential use class, the the children's home is unlikely to result in a significant increase in noise. Given that children can occupy a property as part of any residential use class, requiring an enhanced sound insulation scheme to be installed would not be reasonable in this instance.

The development would not result in unacceptable impacts on neighbouring occupiers, in accordance with ALP policy QE DM1.

HERITAGE

The property is situated opposite Bognor Regis Town Hall, which is a Grade II listed building. The proposals do not result in external alterations to the building, and the change of use from a HMO to a children's home will not impact the setting of the listed building. The proposal would not result in harm to the setting of the listed building, and is acceptable in accordance with ALP policies HER DM1 and the NPPF.

TRANSPORT AND PARKING

The existing access and parking will not be altered as a result of the proposals. The planning statement informs us that only one adult would be resident at the property, and therefore there would only be one occupant who may own a car. Therefore the single parking space currently available on site would be sufficient. On street car parking is controlled in this area and is charged. However, there are sufficient parking opportunities on the surrounding roads and in the car park to the south to accommodate the vehicles of any visitors to the property.

The access and parking arrangements are acceptable in accordance with ALP policy T SP1.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives. Whilst the loss of tourism use (albeit not in that use for a number of years is noted) the provision of accommodation for children in need of care is positive.

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| HUMAN RIGHTS ACT |
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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

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 positive impact on the protected characteristics (age).

CIL DETAILS

This application is not CIL liable.

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 and Block Plans 15092/01 REVA
 - Proposed Ground and First Floor Plans 251002/05
 - Proposed Second Floor and Roof Plans 251002/06
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.
- 3 The residential home hereby approved hereby approved shall be occupied by a maximum of 4 No. children, plus care staff.

Reason: In the interests of the amenity of residents/neighbours and to ensure there is adequate provision of habitable accommodation for proposed residents in accordance with Arun Local Plan policies H DM2 and D DM1.
- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.