Recommendation Report for Planning Permission

REF NO: **BR/212/13/**

LOCATION: Flint House / The Old Bakery
Bakery Lane
Bognor Regis West Sussex

PROPOSAL: Alterations to the external appearance of the building - changes to window detailing (east elevation)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 230 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Brick and flint wall to rear, front and side open onto a courtyard or the street.
SITE CHARACTERISTICS	The building consists of two sections, the old bakehouse which is to the rear of the site is two storey with rendered elevations, the windows have been replaced with a juliette balcony and garage at ground floor level. The other section is two storey with brick and flint, the windows and doors have been replaced with white and brown PVCu.
CHARACTER OF LOCALITY	Predominantly terraced properties in close proximity to the town centre, detached bungalow to the south of the site, public House to north of site.

RELEVANT SITE HISTORY

BR/106/87	Change of use to offices including parking and refurbishment with external alterations to existing storage building	ApproveConditionally 18-05-1987
BR/85/90	Installation of 7 No new windows to first floor office space	ApproveConditionally 04-06-1990
BR/20/13/	Change of use from existing office units (A2 Financial and Professional Services) to 2 No 2 bed Town Cottages, 1 No 1 bed Town Cottage together with 2 No 2 bed flats units (C3 Dwelling Houses).	Refused 08-04-2013

BR/395/85	Conversion of stable building to 3 - 1 bedroom cottages for elderly people	Refused 09-10-1985

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

3 Letters of Objection
The installation of white PVCu windows would look completely out of place and would not enhance the facade at all.
Flintwork has been replaced by bricks which alters the appearance of the east elevation.
The replacement of windows to the east elevation may possibly facilitate a change of use to allow residential occupation.

Comments on Representations received:

Objection comments noted
The application is to consider the change of windows details and not for the change of use to residential.
The existing windows are a mixture of white and brown PVCu and it is considered that the replacement windows which are brown PVCu with leaded lights will be a great improvement on the existing.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	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 Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed

according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 site lies on the corner of Scott Street and Bakery Lane and was formally a bakery with attached stable. The flint building has been converted into offices and this was approved under BR/106/87. A subsequent application for new windows in the old bakery was approved under BR/85/90 and these changes were implemented. Application BR/395/85 for the conversion of the stable building to 3 x 1 bedroom cottages was refused on the basis that there was limited space, car parking and visibility and that the proposal would give rise to development which would prejudice the amenities and environment of the locality.

This application seeks to change the windows on both sections, the old bakery and the flint building on the front east elevation. The old bakery building has a garage at ground floor level and the up and over doors are to be replaced by an entrance door and window. The upper level which has windows with decorative screening and doors with a juliette balcony are to be replaced, all with brown PVCu frames with diamond pattern leaded lights. The flint building which has a mixture of brown and white PVCu windows are to be replaced with brown PVCu with diamond pattern leaded lights.

The existing buildings which at the time of the officer's visit were unoccupied resemble residential cottages. However, the application is to consider the external alterations and not for any change of use of the buildings.

The external alterations which would enhance the appearance of the building are not considered to be out of keeping within the street scene or surrounding area.

It is therefore recommended that the application be approved, subject to 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 1 (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 a neutral impact has 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).

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/Block 1;1250, 1:500 Drg No 4834/01, Proposed Elevations 1:100 Drg No 4834/10 received on 5th September 2013.

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 The replacement windows hereby approved shall be of brown PVCu with leaded lights.

Reason: To enable the Local Planning Authority to control the development in details in

the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

4 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.