

PLANNING APPLICATION REPORT**REF NO:** BR/219/11/**LOCATION:** 1 The Steyne
Bognor Regis**PROPOSAL:** Convert trading area to 2no. studio flats. Relocate bin stores approved under planning application BR/8/10 - Resubmission of planning permission BR/133/11**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	0.3 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed conversion.
BOUNDARY TREATMENT	None - property directly abuts pavement.
SITE CHARACTERISTICS	2 storey property with single storey additions, on corner fronting both The Steyne and The Esplanade. Rendered property with 1st floor residential, ground floor part residential and part commercial, (now vacant restaurant/cafe). Balcony on part of 1st floor. Courtyard section between application site and 'Connaught House' with high wall of single storey side extension forming a boundary to neighbouring properties, double gates to garage.
CHARACTER OF LOCALITY	Conservation Area. Town centre location, mixture of commercial and residential. Electric sub-station between application site and neighbouring property 'Connaught House'. Neighbouring properties overlook one another in courtyard section. Seating area to front of The Steyne. The beach is opposite, with the Bognor Regis pier located to the south east of the site.

RELEVANT SITE HISTORY

BR/201/99/	Proposed 2nd floor extension to provide two self contained flats	Refused 25-10-1999
BR/184/06/	Outline application to demolish existing two storey building and erect four new town houses.	Refused 01-08-2006

BR/272/06/	Outline application to demolish existing two storey building and erect four new town houses. Re-submission of BR/184/06	Refused 25-10-2006
BR/401/07/	Erection of additional floor to create 2 additional flats in a three storey building and conversion of 1st floor to 2 self-contained flats	Refused 18-02-2008
BR/140/08/	New entrance to serve first floor to be converted into two flats.	Approve Cond 03-07-2008
BR/8/10/	Alteration to create smaller commercial premises and new flat on ground floor. Sub-divide first floor flat to provide 2No. flats.	Approve Cond 27-04-2010
BR/133/11/	Convert trading area to no 2 studio flats. Relocate bin stores approved under planning application BR/8/10.	Refused 16-08-2011

REPRESENTATIONS**Representations received:**

Bognor Regis Town Council

Bognor Regis Town Council - Objection: On the grounds that this is out of character with the Conservation Area. Due to its prominent position on the seafront, the ground floor should remain as a bar/restaurant. The Town Council committee regrets the possible loss of this restaurant/bar as an amenity for tourists. These premises are in the heart of the town and should be retained as a tourism facility to maintain the heritage of the town as a friendly seaside resort.

Comments on Representations received:

It is not considered that the character of the Conservation Area will be harmed in any manner, the building will largely remain the same, with the external differences being altered fenestration together with the provision of wrought iron gates to replace the rather poor looking doors to an existing dustbin store area.

Whilst the use will alter from the restaurant/cafe to residential, there are no policies for retaining such uses. The residential use will accord with the remaining section of the building.

CONSULTATIONS

Conservation Officer

Consultations responses received:

County Highways: Taking into account the sites previous use, there would be no concerns with this proposal from a highway safety point of view. Cycle parking must be provided.

Conservation Area Advisory Committee: None.

Comments on Consultation responses:

Comments noted. The plans show an enclosed, lockable cycle compound.

POLICY CONTEXT

Designation applicable to site:
Conservation Area
Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7 AREA2	The Form of New Development Conservation Areas
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PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning for the Historic Environment

SUPPLEMENTARY POLICY GUIDANCE

XXX6	Interim Affordable Housing Policy
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POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

CONSERVATION AREA

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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.

LISTED BUILDINGS/CONSERVATION AREA

Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:-

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess."

Where the building is located in a Conservation Area, Section 71(1) of the 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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE/BACKGROUND

The site lies within the built-up area boundary and thereby the use is acceptable in principle. The property was previously a restaurant/bar use, and as can be seen by the site history, and notwithstanding that the first floor of the property is in a residential use, applications for residential on the ground floor had been refused until 2010. That permission also retained a trading area on the ground floor.

It is this section which is subject to the current application, the reason for the application being that no one has taken up the premises for the commercial use, together with the fact that in discussions with the fire service, the applicant was informed that there were problems with achieving egress from the rear storerooms.

CHARACTER & AMENITY

The site lies within a designated Conservation Area, and many listed buildings are contained within the Conservation Area. The Steyne is an area of modest terraces, imitative in style of the earlier resorts. It is an open ended rectangle at right angles to the sea, lined with 2 & 3 storey terraced houses with bay windows and balconies.

One of the elevations of the application property faces directly to The Steyne with the other principle elevation facing to the beach (The Esplanade), the nearby pier lies to the south east and is a listed building.

Juxtaposed amongst this setting are the uses of the properties being a mixture of seaside commercial and residential.

The change of use of this section of the property will not adversely effect either the character or the amenities of its eclectic surroundings, indeed, the only external change would be to the fenestration together with the change from timber doors to side walkway to a wrought iron double gate. The windows proposed will accord with other windows within the building and the locality.

AFFORDABLE HOUSING

The proposal seeks permission for 2no. studio flats, therefore, in accordance with the Councils Interim Affordable Housing Policy, a S106 Legal Agreement is required to accompany this planning application. The proposed agreement outlines the affordable housing contribution required upon the commencement of the change of use, in accordance with the Councils Affordable Housing policy which was adopted on 18th August 2010. In this case the affordable housing contribution will be £2,208

SUMMARY

The application seeks permission to change the use of the remaining commercial trading section of the property to residential, in accordance with the rest of the premises. The reason for the change of this section is because there has not been any interest in the premises and the fire service have indicated that there are problems with achieving egress from the rear storerooms.

The use and alterations will not result in any harm to the Conservation Area it lies within, the general character and amenities of the locality, or neighbouring residential properties. Indeed, the removal of the commercial use will likely improve the amenities of the existing residential properties.

The proposal is therefore recommended for approval subject to the following conditions and the satisfactory signing of the s106 Legal Agreement for affordable housing. If no signed agreement is received/in place by 14th October 2011, the application will be refused on the grounds of lack of affordable housing requirements.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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:-

2030.01
2030.02

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 All windows and doors shall be of painted timber.

Reason: To preserve the character and appearance of the Conservation Area in accordance with policy AREA 2 of the Arun District Local Plan.

- 4 Before the flats hereby permitted are occupied, the dedicated bin and bicycle storage area, shall be put in place fully in accordance with the approved plans.

Reason: To ensure satisfactory development of the site in accordance with policy GEN7 of the Arun District Local.

- 5 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, AREA 2

NATIONAL POLICIES: PPS1, PPS5

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 6 INFORMATIVE: This permission is subject to a S106 Legal Agreement with regard to a cummuted payment of £2,208 towards the provision of affordable housing.