

Recommendation Report for Planning Permission

REF NO: BR/230/21/PL

LOCATION: 1 London Road
Bognor Regis
PO21 1PQ

PROPOSAL: Installation of new shopfront. This site is in CIL Zone 1 (Zero Rated) as other development.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	The application seeks to install a new shopfront to the building.
SITE CHARACTERISTICS	The site is located in an corner location with 2 frontages. It is occupied by shop premises at ground floor and accommodation at first floor.
CHARACTER OF LOCALITY	The site is located within the Primary Shopping Area.

RELEVANT SITE HISTORY		
BR/148/04/	New shopfront & shopfit to existing unit	ApproveConditionally 04-06-04

Noted.

REPRESENTATIONS	
Bognor Regis Town Council provided no objection.	
No representation received from nearby occupiers.	

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

The Building has been identified as a Locally Listed Building or Structure of Character and as a result is a non-designated heritage asset. The building has been considerably altered as part of its previous use which included the introduction of a modern replacement shopfront. This replacement shopfront is considered to be out of character and harmful. It is positive to note that the intention is to replace the existing shopfront with something similar to its previous appearance. Such a proposal will help to restore the elevation of the building and have a positive impact. Ideally, traditional materials would be used in

order to ensure that the greatest impact is made on the building.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built up area boundary

Building of Character

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

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.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

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

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

Bognor Town Council has a made Neighbourhood Plan with policy 1 of relevance to the application. This seeks to ensure that development proposals concerned with extensions and alterations of Designated and Non-designated Heritage Assets will support the delivery of relevant Neighbourhood Development Plan objectives and vision. Proposals must identify the significance of any affected heritage asset and assess any harm and benefit.

DESIGN AND VISUAL AMENITY

The shop fronts London Road to the west and High Street to the south east and therefore is highly visible occupying a corner plot.

The development seeks to replicate the original shopfront which was altered in 2004. This will consist of removing the lower panel to the fascia which will reinstate the original fascia proportions.

The entrance doors will also be altered. Currently there is a main entrance to the west. This will be removed and the corner entrance will be reinstated which matches how the original entrance would have operated.

The design is considered to improve the appearance of the building whilst remaining in keeping with the surrounding area.

Materials will consist of painted timber. The colour of the painted timber is not yet known and as such has been conditioned to ensure the appropriate colour is used.

The Arun Design Guide states 'Shopfront and signage should ensure that frontages are in keeping with their context including the surrounding street scene and the existing features, scale and proportion of the building.' The proposal complies with this being in keeping with the surrounding street scene. It also seeks to retain features that have been lost and is appropriate to the building.

With the proposal reinstating the building to its original appearance the proposal is considered to enhance the appearance of the building within the street scene and accords with D DM1 and D DM4 of the Arun Local Plan, the Design Guide and the Neighbourhood Plan.

BUILDING OF CHARACTER

The building is a Building of Character. Whilst not a Listed Building, it is considered to have a degree of architectural or historic merit. The buildings in this immediate area of this side of London Road have a

more traditional character and appearance above ground level, although the majority now have modern shopfronts. The building has been considerably altered internally to now be a modern structure. Given that these proposals are for replacement it is not considered that they would result in a detrimental impact upon the non designated heritage asset with much of it having already been altered. The development has a positive effect on the building given that it will reinstate the original shopfront of the building contributing to its character and enhancing its appearance within the street scene. It is positive to note that the intention is to replace the existing shopfront with something similar to its previous appearance. The proposal would not result in harm upon the non designated asset and comply with HER DM2 of the Arun Local Plan and Policy 1 of the Neighbourhood Plan.

RESIDENTIAL AMNEITY

Due to the changes that are proposed, the development is not considered to result in harm upon neighbouring amenity in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to comply with relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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
- Location Plan
 - Block Plan
 - Proposed Elevations - LNG4249.04
 - Existing and Proposed Shopfront - LNG4249.03
 - Email dated 8/12 confirming materials will be painted timber.

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 Prior to installation of the shopfront, details of the proposed colour of painted timber to be used shall be submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the alterations of the building.

Reasons To enable the Local Planning Authority to control the development in detail in the interests of amenity and to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 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.