

Recommendation Report for Planning Permission**REF NO:** BR/250/17/PL**LOCATION:** 69 High Street
Bognor Regis**PROPOSAL:** Change of use of ground floor to hairdressers (A1 Shops). This application may affect the character & appearance of The Steyne, Bognor Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Retention of change of use to A1, currently the property is used as a Hairdressers.
SITE AREA	0.02 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None, the unit abuts the highway.
SITE CHARACTERISTICS	Two storey end of terrace property. Retail use on ground floor.
CHARACTER OF LOCALITY	Edge of town centre, mainly formed of two storey terrace properties with a mix of commercial and residential uses (mainly on upper floors).

RELEVANT SITE HISTORY

BR/309/90	Application under Regulation 5 of the Town and Country Planning General Regulations 1976 for Outline Application for erection of 4 shops and 1 x 2 bedroom and 3 x 1 bedroom flats	Deemed Perm Cnd 24-10-1990
BR/106/98/	Application under Regulation 3 of the Town & Country Planning (General Regulations) 1992 for renewal of temporary planning permission BR/22/97 for change of use from shop and gallery to local history museum.	ApproveConditionally 28-08-1998
BR/290/07/	New garage door and opening.	ApproveConditionally 28-11-2007

BR/13/08/	Application for boundary wall to the front of 69 High Street/flat above known as 'Questover'.	Approve 19-03-2008
BR/114/15/HH	Roller shutter door to the garage to replace existing garage door. Reform open parking area as garage with roller shutter door to match & use the roof over the garage at Questover as terrace with access from Questover - This application affects the character and appearance of The Steyne and Waterloo Square Conservation Area.	ApproveConditionally 21-10-2015
BR/260/15/A	2 No externally illuminated fascia signs & 1 No. internally illuminated barber pole. This application affects the character & appearance of The Steyne Conservation Area.	Refused 19-01-2016

Unit used as a hairdressers for approximately two years, no permission sought for this until now.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

One letter of support stating:-

"We reside above these premises. We support this application. The new proprietor of 69 High Street is experienced and has previously occupied other High Street premises for some years.

The premises have been refurbished to an excellent standard and will also be an asset to the Conservation area in appearance.

As neighbours we have found them to be extremely polite and courteous and wish them every success."

Comments on Representations received:

Comments noted.

CONSULTATIONS

Estates Manager

Economic Regeneration

Consultations responses received:

CAAC

No objection.

Economic Development

No objection.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary
Within the Steyne conservation area
Within primary retail frontage

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	AREA2 AREA19 GEN2 GEN7	Conservation Areas Primary Shopping Frontages Built-up Area Boundary The Form of New Development
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality RET DM1 Retail Development D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design HER DM3 Conservation Areas HER SP1 The Historic Environment QE SP1 Quality of the Environment SD SP2 Built-Up Area Boundary
Bognor Regis Neighbourhood Plan 2015 Policy 5		Preferred Retail Uses in the primary retail area

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD2	Conservation Areas
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POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The development is considered to comply with Bognor Regis NDP policy 5 which encourages retail uses in the primary retail area where the site is located.

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. It would also preserve a retail use within a primary retail area protecting its character and the of the town centre.

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 property has been in use as a hairdressers for 2-3 years and it is not considered the use generates noise and disturbance which is be considered harmful to neighbouring residential amenity in compliance with policy GEN7.

The A1 use is appropriate within the primary retail are and is considered to be suitable for this location on the edge of the town centre, in compliance with Bognor Regis NDP policy 5.

The site is located sustainably in a town centre location on local bus routes and with parking available in the vicinity.

The change of use to A1 is recommended for approval.

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 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 approved shall be retained out in accordance with the following approved plans:-

7/11 01 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment

report

in accordance with policy GEN7 of the Arun District Local Plan.

- 2 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.