

PLANNING APPLICATION REPORT**REF NO:** BR/267/11/**LOCATION:** 158 Hawthorn Road
Bognor Regis**PROPOSAL:** Change of use to reinstate ground floor office to a 1 bed flat**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 143 square metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Property bordered on all sides by 1m high wall with 1.5m high closed board fencing behind.
SITE CHARACTERISTICS	Two storey semi-detached dwelling with red bricked lower elevations and render to eaves. Red tile hung roof.
CHARACTER OF LOCALITY	The locality is a residential road made up of two storey semi detached and terraced dwellings of similar design. Immediately adjacent to the site is a co-op local store and car park.

RELEVANT SITE HISTORY

BR/261/92	Construction of new vehicular access to the highway	Approve Cond 05-01-1993
BR/129/96	Change of use and associated works, ground floor - meeting rooms to offices, first floor-office to one bedroom flat	Approve Cond 10-07-1996
BR/85/97	Two porches and a doorway	Approve Cond 23-05-1997
BR/539/78	Proposed forecourt parking for 2 no cars	Refused 13-09-1978

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection

Comments on Representations received:

Submission from Bognor Regis Town Council is noted.

CONSULTATIONS

WSCC Local Development Divis.

Environmental Health

Consultations responses received:

Arun District Council Environmental Health: No objection in principle.

West Sussex County Council, Strategic Planning Consultation: There would be no concerns with this change of use from the highway point of view.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[GEN12](#)

The Form of New Development
Parking in New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS4	Planning for Sustainable Economic Growth

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.

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 nor its commercial vitality.

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

The application seeks permission for the change of use of the ground floor of building from a Class B1 Office Use to a Class C3 Residential Use. The site forms part of the built-up area boundary in which the development is acceptable in principle.

RESIDENTIAL AMENITY

The proposed alterations are not considered to give rise to unacceptable loss of amenity to adjoining residential properties given the existing commercial use of the site. Environmental Health has made no objection to the proposed development. As such the proposed layout of the accommodation is not considered to be detrimental to the private amenity of any future occupiers of the site or that of neighbouring sites.

AFFORDABLE HOUSING

The proposal seeks permission for 1No. residential dwellings, 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, which in this instance requires a commuted sum of £1,104.

CHARACTER AND APPEARANCE

The proposal would form a 1 bedroom flat with no changes to the external appearance of the building. The proposed residential use would conform with the localities prevailing character.

PARKING PROVISION

The site provides 2 parking spaces directly in front of the building and although not allocated directly between the 2 separate units that would be created, the parking level is considered to be acceptable.

SUMMARY

The proposal is not considered to have an unacceptable impact the amenity of the adjoining uses given the existing residential use at 1st floor level and given that no external changes are proposed the works do not unduly impact upon the visual appearance of the street scene.

It is therefore, recommended that subject to the receipt of a satisfactory Section 106 Legal Agreement for the affordable housing contribution required upon the commencement of the change of use application is approved subject to the following conditions.

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:

Existing and proposed layout

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 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: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

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