

Recommendation Report for Planning Permission

REF NO: BR/292/17/PL

LOCATION: Regis Court
High Street
Bognor Regis
PO21 1HZ

PROPOSAL: Bicycle store

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed bicycle store would measure 3m wide, 5.5m long and 2.3m high (max).
	Materials would be brick walls and corrugated plastic sheeting roof.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The flats are set on an open plan layout with a rear brick boundary wall approximately 1.8m high.
SITE CHARACTERISTICS	Modern purpose built blocks of flats set on an open layout. There is associated parking and garage areas. There is an existing shed and refuse store to the rear.
CHARACTER OF LOCALITY	Residential, comprising flats.

RELEVANT SITE HISTORY

BR/127/48/B	O/L For 24 Maisonettes And 15 Garages	ApproveConditionally 18-01-56 Appeal: Dismissed 31-08-56
BR/127/48/C	O/L For 20 Flats With Office Accomodation And 24 Garages	Refused 26-11-57
BR/127/48/D	O/L For Flats Offices Shops And Garages	Refused 08-04-58

BR/127/48/E	40 Flats Covered Car Parking And Garage For 40 Cars	ApproveConditionally 11-09-62
BR/127/48/A	O/L For Residential Development	ApproveConditionally 25-03-54
BR/360/76	Erection Of 32 Car Ports	Withdrawn 07-02-77
BR/169/07/	Dustbin store.	ApproveConditionally 14-08-07

No relevant planning history.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council
Bognor Regis Town Council has no objection

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Built up area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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).

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.

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 application site is situated within the built up area boundary where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed bicycle store is in itself is relatively modest in size and height. It is not prominently sited being located behind one of the blocks of flats. It would be sited adjacent to the existing refuse store in a position currently occupied by a shed which will be relocated to the other side of the refuse store. The proposed building would be adjacent the rear boundary wall. The proposed bicycle store is not readily visible from outside the site

Therefore it is not considered that the proposed development is harmful to the character and appearance of the host property or the wider area. It is considered to be comply to policy GEN7 of the adopted Arun Local Plan 2003.

Due to its height and siting, 8m from nearest part of the flats there is negligible impact to residential amenity to the occupiers of the flats. There are also flats to the rear of the site but again given the size of the proposed bicycle store it will not be harmful to the amenity of the occupiers of these flats.

It is considered that the proposed development would comply with adopted planning policies in the Arun Local Plan 2003. As such it is recommended for approval subject to the following 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 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 4743 location plan, 4743A block plan & 27-02A plans, elevations and sections.

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 Prior to the development commencing details or samples of materials to be used for external walls and roofs of the proposed cycle store shall be submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the cycle store

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District 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.