

Recommendation Report for Planning Permission**REF NO:** BR/305/13/**LOCATION:** Units A, F & M
Atlantic Village
Butlins Bognor Regis Upper Bognor Road Bognor Reg**PROPOSAL:** Provision of french doors, balconies and terraces to blocks A, F and M Atlantic Village**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed development is to remove existing double glazed lounge room windows in 26 locations associated with 12 balcony "stacks" and to replace these below existing structural lintels with outward opening uPVC French Doors. This would afford access at the ground floor levels to a free draining patio and at first and second floor levels to a Balcony terrace space, all constructed using a light weight galvanised steel frame with non-slip waterproof decking.
SITE AREA	1.75 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The western boundary to the application site is defined by a strong belt of trees along the Butlin's boundary and in the highway verge. The trees along the Butlin's boundary will be retained. Some trees will be removed associated with the new entrance.
BOUNDARY TREATMENT	1.8m high green painted railing fence.
SITE CHARACTERISTICS	Existing holiday resort complex accessed from roundabout on the A259. Two new hotels have been constructed in replacement for elderly chalet accommodation in recent years, being 5 and 7 storeys in height. The actual application site is partly vacant and partly 1960s 2 storey chalet accommodation. The application site is surrounded by part of the existing complex.
CHARACTER OF LOCALITY	To the west is Hotham Park and Wood. To the north is the University of Chichester.

RELEVANT SITE HISTORY

BR/345/10/	Demolition of 5 no. 2 storey rows of chalets & construction of new hotel with associated car parking, landscaping, security kiosk & creation of new access from High Street	ApproveConditionally 09-03-2011
BR/149/13/	Application to vary conditions 2 (plans) and 12 (parking spaces) following a grant of planning permission BR/345/10/	ApproveConditionally 08-10-2013
BR/151/13/	Erection of a temporary marquee for use as an additional summer entertainment venue	ApproveConditionally 08-10-2013
BR/182/13/	Erection of a chairplanes fairground ride.	ApproveConditionally 14-11-2013

No comments.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council - No objection

Comments on Representations received:

No comments

CONSULTATIONS

Engineering Services Manager

Engineers (structural)

Consultations responses received:

No consultations required.

Comments on Consultation responses:

No comments

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area Boundary

Class B Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV34	Tourist Accommodation and Attractions
	DEV35	Tourism Development Requiring a Coastal Location
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections (February 2014):

D DM1 Aspects of Form and Quality
D DM4 Extensions & Alterations to Existing Buildings
D SP1 Design
SD SP1 Sustainable Development
SD SP2 Built -Up Area Boundary
TOU DM1 Tourism Related Development
TOU SP1 Sustainable Tourism & The Visitor Economy

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the impact on the character of the area, and the impact on surrounding residential properties.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- ? the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- ? the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- ? the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

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 proposed development involves replacing existing windows with French doors which will open out onto a new balcony which will be retrofitted to the outside of the building at first and second floor level. At ground floor level the doors will open onto a patio area.

The proposal will be applied to three units in the "Atlantic Village" area of the Butlin's campus. Block A is located in the north east corner of the Atlantic Village area close to the recently completed Wave Hotel. This site is reasonably well enclosed and the proposed modifications which are all on the eastern side of this unit will only be seen from inside the Butlin's Resort. It is considered that the proposed development is of a suitable design and will use quality materials that will enhance the visual amenity of the area.

Block F is located in the south west corner of the Atlantic Village. The proposal is for four sets of new balconies along the southern elevation of the block at first and second floor level. These balconies will be visible from the car park in Gloucester Road and from the sea front. The proposed block is set back from the site boundary and relates closely to the surrounding Butlin's campus. It is considered that the proposed balconies are of a suitable design and will enhance the visual amenity and appearance of the buildings. The balconies will not lead to overlooking of any residential properties and are in keeping with the character of the area.

Block M is located on the western part of Atlantic Village and runs east-west. The proposed development is for three balcony developments at first floor level on the south elevation and one on the eastern elevation. The balconies on the southern elevation are visible from the highway on Gloucester Road and from Walton Road. It is considered that the proposed balconies are suitable in design terms and will not have an unacceptable impact on the character of the area or the host property.

The proposed balcony closest to Gloucester Road has potential to cause overlooking of 5 Walton Road which is located on the corner of Walton Road and Gloucester Road. The property is approximately 35m from the nearest point of the balcony and separated by the existing public highway and footpaths. It is considered that the distance between the balcony and the property are sufficient to maintain the existing levels of privacy experienced by residents and will not be injurious to their quiet enjoyment of their home. It is therefore considered that the proposed balconies on block M are acceptable.

It is therefore considered that the proposed development will not lead to adverse effects on the

character and appearance of the area, and will not result in overlooking of surrounding residences. The proposal is therefore recommended for approval subject to conditions.

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 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 a neutral impact has 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.

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:

Layout and Location Plan for Balconies IPL_2013_122_116 Rev A
Layout and Typical Apartment Layouts IPL_2013_122_117 Rev A
Layouts as Existing IPL_2013_122_118
Layouts as Proposed IPL_2013_122_119
Block A External Balcony and Terrace Stacks IPL_2013_122_112
Block F External Balcony and Terrace Stacks IPL_2013_122_113
Block M External Balcony and Terrace Stacks IPL_2013_122_114

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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used in the construction of the balconies and new doors have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

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 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.