

Recommendation Report for Planning Permission**REF NO:** BR/330/14/PL**LOCATION:** Rear of 71 High Street
Bognor Regis**PROPOSAL:** Conversion of existing garage/store into 1 No. one bedroom dwelling with addition of north facing dormer window. This application affects the character & appearance of The Steyne & Waterloo Square Conservation Area.**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

Conversion of existing garage/store into one bedroom dwelling. The conversion would involve the insertion of dormer window in North elevation with one roof light, two roof lights in the south elevation. Relocation of door to north elevation, with single light window also added and large window to east (front) elevation.

SITE AREA

0.060 hectares

RESIDENTIAL DEVELOPMENT DENSITY (NET) 50 dwellings per hectare.**TOPOGRAPHY**

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

None

SITE CHARACTERISTICS

Corner building, stucco and painted white with green restaurant windows. Timber doors in Norfolk Street and also main door in High Street. Traditional Victorian windows at first floor level. Cast iron rainwater gear in Norfolk Road. Mansard slate roof. Traditional fascia externally lit. The subject of the application is the workshop unit which is a red brick, single storey with tiled gable end roof.

CHARACTER OF LOCALITY

Mixed commercial and residential. This part of the High Street is within the Steyne and Waterloo Square Conservation Area which has a distinct character of its own, relating back to the Victorian layout.

RELEVANT SITE HISTORY

BR/238/05/ Change of use of premises from A1 to mixed use comprising A3 and A4 use classes ApproveConditionally

		07-09-2005
BR/42/13/	Conversion of retail unit to form 4No. cottages and conversion of vacant workshop to form bedsit accommodation.	Refused 03-06-2013
BR/48/14/	Conversion of existing vacant buildings into 4no. ground floor retail units with independent cafe and 3no. first floor one bedroom flats.	ApproveConditionally 15-07-2014

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council - no objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Arun DC Conservation Officer - It is considered that the application will have a neutral impact upon the conservation area. This is on the basis that materials and details should reflect those found on the site generally.

May wish to condition details of windows/doors/materials.

Conservation Area Advisory Committee (CAAC) - Advise to request the front window is centralised (under the apex) plus a round arch above it.

Licensing Officer- As the buildings are not physically joined no objections if the unit is adequately sounds insulated.

Comments on Consultation responses:

Comments noted. Disagree with the requirement to centralise the front window and include an arch under. The workshop is a separate unit from the main building and should be kept visually separate and the character of the new window does mimic the style of the existing main windows albeit larger.

POLICY CONTEXT

Designations applicable to site:

PD Restriction

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	AREA2	Conservation Areas
	DEV30	Local and Village Centres
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN12	Parking in New Development

Publication Version of the Local
Plan (October 2014):

D DM1 Aspects of Form and Design
Quality
D DM2 Internal Space Standards
D DM3 External Space Standards
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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 on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Ferring, Rustington, Kingston, Angmering, East Preston and Yapton.

Bognor Regis have just submitted their Regulation 15 neighbourhood plan and consultation will commence in April 2015.

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.

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

DESIGN/IMPACT ON CONSERVATION AREA

As stated by the conservation officer; the proposal would have a neutral impact on the buildings and conservation area. The dormer window is very modest in size and set well back from the front of the building; limiting it's impact. The roof lights and side window are also an innocuous addition.

The window to the front would be traditional in design matching the character of the existing workshop and similar in character to that of the main building.

Materials will be controlled by means of condition.

The proposal is considered to preserve the character and appearance of the conservation area.

IMPACT ON NEIGHBOUR AMENITY

The only element of the proposal to have a potential impact on neighbour amenity would be the small dormer window. However, the window would face the wall of the main building of 71 High Street and for which no windows to residential units are in place.

As the unit is not physically joined to the main building (which currently is an unused bar/restaurant) it is not considered that there would be significant noise disturbance should the main building be used as a restaurant/bar again. It should be noted that the main building has permission (BR/48/14/) to have the ground floor converted to A1 units and the upper floor to flats so the use of the main building as a bar/restaurant again is not certain.

ECONOMIC IMPACT ON TOWN CENTRE

As the workshop is currently vacant, has been for some time and has permission for use as a Cafe(A3) there will be no loss of a retail unit. It is not considered reduce the vitality of the town centre and is suitable for residential use.

SPACE STANDARDS

The internal floor space is more than the required 50m³ and a shared courtyard area is proposed outside which provides a good amount of external space. This is enough space for bins and for cycles parking details of which will be required via condition. The proposal is considered to meet the standards set by emerging policies EDDM2 and EDDM3.

PARKING

The property is within close vicinity to bus routes and the train station, plus there is space for cycle parking if required. Therefore, it is not considered an off street parking space is required for this town centre unit.

Given the above conditional approval is recommended.

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 126/01, 126/02 and 126/03 received 19 December 2014.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

- 3 The openings and windows hereby permitted shall match in all details those existing [in the same elevation as the new openings hereby permitted], particular care being taken to reproduce the style and material of the timber window frames and casements, the arrangement of glazing bars, the set-back of the frames from the external wall face, the window cills and the colour, texture and form of masonry arches over the openings.

Reason:

(b) In order that the development shall not detract from the character or appearance of the Conservation Area in accordance with the National Planning Policy Framework.

- 4 Details for the storage of waste and recycling on the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details shall be constructed and retained hereafter.

Reason: To protect the amenities of nearby residents in accordance with Arun District Local Plan policy GEN7.

- 5 Prior to the development hereby approved being occupied; two weatherproof cycle parking spaces in accordance with details to be approved by the Local Planning Authority shall be provided. Once installed cycle storage must be retained in perpetuity.

Reason: To ensure that adequate and satisfactory provision is made for the storage of bicycles clear of all highways in accordance with policy GEN7 of the Arun District Local Plan.

- 6 **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.