

Recommendation Report for Planning Permission

REF NO: BR/330/18/PL

LOCATION: 15 Ellasdale Road
Bognor Regis
PO21 2SG

PROPOSAL: Change of use of existing single storey area from C2 (Residential Institution) to D1 (Non-Residential Institution) & erection of a single storey rear extension & new access ramp/steps.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Use of existing building as a non-residential institution together with a pitched roof single storey extension to the rear and access ramp and steps to the front. The floor plan indicates the building would comprise a communal lounge, kitchenette, computer room, two counselling rooms, medical room, store, toilet and hall.
SITE AREA	199 square metres
TOPOGRAPHY	Predominantly flat.
TREES	None of significance affected by the proposed development.
BOUNDARY TREATMENT	Dwarf wall in front of the main building, open area in front of the extended existing part and wall/fencing to sides.
SITE CHARACTERISTICS	Detached two storey building with accommodation in the roof with a single storey side extension to the main building situated on the southern side of Ellasdale Road. The property is a rehabilitation centre with accommodation and falls within the C2 (Residential Institution) use class.
CHARACTER OF LOCALITY	Residential dwellings including a three storey block of flats on the western corner of Ellasdale Road /Nyewood Lane and two storey semi-detached and terraced dwellings to the rear and to the east with Parish Church of Saint Wilfrid at the eastern corner of the road.

RELEVANT SITE HISTORY

BR/163/17/PL	Side facing roof dormer and relocation of side facing first floor window to rear elevation (amendment to BR/112/17/NMA)	ApproveConditionally 21-08-17
BR/112/17/NMA	Application for a non- material amendment following the grant of BR/237/15/PL to reconfigure windows to first	Approve 08-05-17

floor west elevation, ground & first floor east elevation, ground floor south elevation, enlargement of dormer window to west elevation, enlargement of rooflights to east elevation & removal of existing chimney stacks.

BR/237/15/PL	Ground & first floor rear extensions & provision of new fire escape; 2 No. rooflights in east plane & dormer in west plane of existing roof.	ApproveConditionally 06-01-16
BR/579/89	Construct Fire Escape staircase	ApproveConditionally 08-01-90
BR/510/89	Construct extension at ground floor level with link to existing building for use in connection with existing care home	ApproveConditionally 19-02-90
BR/36/89	Change of use from dwelling to Care Home	ApproveConditionally 29-03-89
BR/466/87	Change of use from private dwelling to form care or rest home	ApproveConditionally 19-10-87

Site history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Regis Town Council:- No objection

5 letters of objection:-

Further consultations must be sought before any more planning permission is granted. Support the ethos of charity but neighbourhood has suffered since the opening of the site. Would like to know more about the intended change of purpose of the building. This appears to be unclear from the documentation online.

The application appears to intend that more non-residents visit the premises - something which is happening already, as evidenced by the drug-dealing happening on Ellasdale Road and Nyewood Lane, the needles and seemingly endless bottles of alcohol found by neighbours around their houses and the

noise and disruption contributing to the complete transformation of the atmosphere in the area around 15 Ellasdale Road. Stonepillow appear either unwilling or unable to address these issues.

Stonepillow do important work - but are either oblivious to or dismissive of the impact this has on the locality when management only starts once someone is inside the front door of the property.

The lack of any active community work by Stonepillow and the laissez-faire attitude of "If it gets noisy, just call the police" betrays a view of overstretched local police as adult childminders for those around 15 Ellasdale Road and the lack of responsibility SP appears to take for what happens beyond its boundary.

Until it demonstrates effective engagement with local residents and a proactive - not reactive - approach to the potential effects of this sort of change of use, it absolutely should not be allowed to proceed.

More noise more disruption short term and long term. No need for more building work or changes, with a perfectly good entrance that fulfils all of the needs a side entrance is not needed. As they've all ready broken quite a lot of promises to the local neighbours i've already had to spend a considerable amount of money putting fencing up, for privacy and to try and reduce the noise level and also stop packages begin put into our garden.

With a young child and the proposed building works is very close to his bedroom and my own, this will have a dramatic affect on him and the rest of my family! With more traffic passing through the area 24/7. Money could be better spent to try and reduce to noise levels along with improving the privacy. Along with trying to co-assist better with your neighbours.

Against more building works due to the noise and disruption the last amount of building works caused. Road was constantly blocked up and was unable to park my car near my property, not helpful when trying to get a young child and shopping out. I could not go out into garden because of noise and dust coming over the fence. Side entrance would be opposite my sons bedroom.

Residents make enough noise using the front entrance at the moment, along with the swearing, smoking and drug dealing. Do not want this closer to my home and family than it already is.

Noise from no 15 Ellasdale is already 24/7 and at times intolerable.

Also regarding the planned stairs/ramp mean access will now be at the side and not the front ?

COMMENTS ON REPRESENTATIONS RECEIVED:

The change of use would be unlikely to result in an increase in vehicular traffic over and above that generated by the current use. The proposed ramp/steps access would serve an existing front entrance and would be situated on the front elevation.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Engineers - Due to the scale and location of development we have no conditions to request. Surface water drainage design and construction should be completed in accordance with building regulations.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within built up area

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HDM2	H DM2 Independent living and care homes
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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).

There are not considered to be any BRNDP policies of relevance to the application.

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 the proposed change of use and building alterations would not cause demonstrable harm to interests of acknowledged importance namely the character of the area and residential amenities of the 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

PRINCIPLE

The development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are D DM1, D DM4 and H DM2.

DESIGN AND VISUAL AMENITY

The proposals comprise the change of use of the single storey area from C2 use to D1 use, together with the construction of a single storey rear extension and a new access ramp/steps. The single storey area would predominantly be used by residents of the main facility within the wider site, but would also be available for use by non-residents. The facilities would complement and enhance the facilities that are currently available within the main home. In addition, the existing single storey extension has been provided the similar activities as these proposed. Therefore the proposed change of use is considered to be acceptable.

The principle elevation will not be altered in any way except for the construction of a new access ramp /steps required to enable access to visitors with mobility difficulties. The proposed single storey extension would replace an existing conservatory to the rear of an existing extension, would be 4.95m deep, extending the whole width of an existing building and would incorporate a pitched roof of the same shape and height as that of the host building. The fenestration of the existing building would be unchanged; two casement windows are proposed on the rear elevation of the proposed extension and a fire exit and one casement window at the western flank elevation and two casement windows on the southern. Two rooflights would be inserted to the eastern and two to its western roof plane. The converted extension alongside with the proposed extension would provide an entrance area, medical room, accessible WC, two counselling rooms, a computer room, store room and a large communal lounge with kitchenette.

RESIDENTIAL AMENITY

The proposed single storey rear extension due to its scale, height, roof design, an existing boundary treatment and a reasonable separation distance from the boundary with No 11 to the east would not appear overbearing or give rise to any significant loss of light and prospect to the occupiers of this property.

As mentioned above, the proposed new ramp would serve an existing entrance to the front (disable access) therefore it is not considered to give rise to an unacceptable noise or disruption.

The proposal has a fire exit in the east elevation but this should only be used in emergency situations. The fire exit and window should not result in an increased level of overlooking to the property to the rear.

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.

Residents have raised concerns about noise. The building has an existing use which will have an impact through the residents. The proposed use would have no residents but visiting clients - as would the rest of the site. The potential noise increase is minimal when compared to the current use. Noise generated through building works can be controlled by Environmental Health if a statutory nuisance is proven.

Concerns of residents regarding anti-social behaviour are noted. The impact of anti-social behaviour exists from the existing C2 use and the proposed D1 use would be similar.

SUMMARY

The proposed development is deemed to accord with relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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:
Site Location and Block Plans, 825/05
Site Layout Plan, 825/10
Existing Ground Floor Plan, 825/01
Ex. First Fl./Part Roof Plan, 825/02
Ex. Elevations (sheet 1 of 2) 825/03
Ex. Elevations (sheet 2 of 2) 825/04
Proposed Ground Floor Plan, 825/06
Proposed Roof Plan, 825/07
Proposed Elevations (1 of 2) 825/08
Proposed Elevations (2 of 2) 825/09
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building

Reason: In the interests of amenity in accordance with policies D DM1? of the Arun 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.