

Recommendation Report for Planning Permission**REF NO:** BR/45/12/**LOCATION:** Cobblers Cottage
1A Chapel Street
Bognor Regis**PROPOSAL:** Change of use of former cobblers shop (A1 shop) & first floor accommodation to 1no. 1 bedroom dwelling (C3 dwelling house)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal seeks consent to change the use of this former ground floor shop unit and first floor accommodation into a one bedroomed dwelling. The accommodation would comprise a living room at ground floor level with bedroom and shower room above.
SITE AREA	Approximately 25 square metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Property abuts pavement and surrounding existing residential development.
SITE CHARACTERISTICS	Two storey pitched roof building having rendered and brick faced elevations. The original timber shopfront remains. A car park lies to the immediate north whilst three storey flatted accommodation is situated on the opposite side of Chapel Street. Two storey residential property lies to the east and south.
CHARACTER OF LOCALITY	Predominantly residential of varying design and scale.

RELEVANT SITE HISTORY

BR/3/08/	Change of use of former cobblers shop and first floor accommodation to one bedroom dwelling	Refused 14-02-2008
BR/83/08/	Change of use of former cobblers shop and first floor accommodation to one bedroom dwelling. (Re-submission following application BR/3/08/)	Approve Conditionally 01-05-2008

Planning consent refused in February 2008 on policy grounds as the proposal did not satisfy the

report

requirements of DEV30 insofar as the application did not contain any evidence of marketing of the retail unit (BR/3/08).

A subsequent application, accompanied by the relevant documentation to confirm that retailing was no longer viable, was approved in May 2008 (BR/83/08).

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

raise no objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Area Advisory Com

Consultations responses received:

Economic Regeneration raise no issue as locality is residential in nature.

Conservation Area Advisory Committee raise no objection.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[AREA2](#)

[DEV30](#)

Built-up Area Boundary

The Form of New Development

Conservation Areas

Local and Village Centres

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 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.

Section 71(1) of the Planning Listed Building and Conservation Areas Act 1990 advises that in respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts) special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

The proposal complies with these criteria in that it is not considered to materially affect the character of the Conservation 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 premises are located within a residential area and its conversion to residential use is acceptable in principle and would be in keeping with the character of the area. The site is located close to the town centre where residential densities are higher and limited amenity space is not an uncharacteristic feature.

The conversion would have no adverse impacts on residential amenity as the building is an existing structure and no extensions or alterations are proposed. The use for residential purposes is most likely to result in a decrease in activity than were the case when the building was used commercially. No additional windows are proposed.

Any subsequent alterations to the building can be controlled by way of an appropriately worded condition and ensure no adverse impacts on the character or appearance of the Conservation Area.

As with the previously approved application information has been submitted in the form of a design and access statement and statement outlining economic decline of the area and confirming lack of interest following marketing.

The information submitted is sufficient to satisfy the requirements of Policy DEV30 to demonstrate that retailing is no longer viable. The shop stopped trading some 14 years ago.

As the former use of the property involved some residential accommodation above the shop and the proposal now seeks to use the ground floor as additional residential floorspace in connection with the existing upstairs accommodation, there is no net increase in residential use on the site and therefore affordable housing policy does not apply in this instance and a commuted payment cannot reasonably be required.

Given the previous approval on this site, lack of any material change in policy and the additional period of time that the building has remained unused, the application is recommended for approval subject to appropriate safeguarding conditions.

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 plan @ 1:1250, block plan @ 1:500, existing plans and elevations, proposed plans and elevations.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the western or southern walls of the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: (a) To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policies GEN7 and AREA 2 of the Arun District Local Plan.

- 5 No development shall take place unless and until precise details of the replacement windows and external doors have been submitted to and approved by the Local Planning Authority. The approved openings shall be provided within the building before any residential occupation occurs.

Reason: To enable the Local Planning Authority to control the development in detail and to preserve or enhance the character or appearance of the Conservation Area in accordance with Policy Area 2 of the Arun District Local Plan.

- 6 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: GEN7, DEV30, AREA2

NATIONAL POLICIES: NPPF

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