

PLANNING APPLICATION REPORT**REF NO:** BR/50/08/**LOCATION:** Clifton Works & Tulletts Garage
Clifton Road
Bognor Regis**PROPOSAL:** Revised planning application for the demolition of existing factory and erection of 20 one bedroom flats**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

Application incorporates redesigning of previously approved flat block facing Clifton Road and minor changes in design for central block. The overall height of the buildings and general profile are generally similar. This scheme has no on-site car parking provision. Block A has been moved adjacent to Clifton Road.

SITE AREA

~~0.125 hectares~~ 1000 m squared

RESIDENTIAL DEVELOPMENT DENSITY(NET)

~~200~~
~~100~~ dwellings per hectare

TOPOGRAPHY

Predominantly flat.

TREES

None

BOUNDARY TREATMENT

Mesh fence to Legion Club elevation to 1.8m height. Temporary contractors fence to site frontage to 1.2m height.

SITE CHARACTERISTICS

Site cleared.

CHARACTER OF LOCALITY

Predominantly residential characterised by two-storey dwellings of varying design.

RELEVANT SITE HISTORY

Reference	Description	Decision
BR/14/06/	Outline Application for demolition of existing factory, erection of eleven flats and associated parking.	Approve Cond 12-04-2006

History Missing
(Appeal)

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council

Objection - development is over intensive. Concern re lack of off-street parking and impact on already overcrowded on-street parking in this area.

Local Groups - None

One letter of objection - Parking in this area is already a problem with Regisgate development with no parking. Doubt flats are occupied by keyworkers, where will the cars park?

Comments on Representations received:

County Highways Officer has no objection to the proposal in terms of highway safety. The density of development has already been allowed on appeal.

CONSULTATIONS

West Sussex - Planning Officer

Head of Highways and Transport

Environmental Health - John Green

Consultations responses received:

Environmental Health - There is potential contamination - conditions suggested.

County Highways - Proposal represents a loss of 7 parking spaces. Provision of nil parking is in accordance with current Government guidance and site is located in an accessible location. Town centre location. No objections - conditions relating to cycle parking suggested.

County Planning Officer - Contributions would be required towards fire service and library facilities.

Comments on Consultation responses:

A planning obligation ^{is to be} ~~has been~~ drawn up relating to fire service and library facilities.

POLICY CONTEXT

Within Built-up Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan DEV1

~~NE17~~

DEV3

DEV4

DEV5

CH1

Arun District Local Plan:

GEN2

GEN4

GEN5

GEN7

GEN8

High Quality Development

Roads

Infrastructure Requirements

Travel Needs and Choices

Parking Provision

Character

Built-up Area Boundary

Location and Travel Demand

Provision of New Residential Development

The Form of New Development

Development and the Provision of

PLANNING APPLICATION REPORT

REF NO: BR/50/08/

LOCATION: Clifton Works & Tulletts Garage
Clifton Road
Bognor Regis

PROPOSAL: Revised planning application for the demolition of existing factory and erection of 20 one bedroom flats

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Application incorporates redesigning of previously approved flat block facing Clifton Road and minor changes in design for central block. The overall height of the buildings and general profile are generally similar. This scheme has no on-site car parking provision. Block A has been moved adjacent to Clifton Road.

SITE AREA

1000 metres squared

RESIDENTIAL DEVELOPMENT DENSITY(NET)

200 dwellings per hectare

TOPOGRAPHY

Predominantly flat.

TREES

None

BOUNDARY TREATMENT

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RELEVANT SITE HISTORY

Reference	Description	Decision
BR/14/06/	Outline Application for demolition of existing factory, erection of eleven flats and associated parking.	Approve Cond 12-04-2006
BR/175/06/	Outline application for demolition of factory, erection of 20 No. one bedroom flats and associated parking	Refused 14-09-2006

Appeal:

Allowed+Conditions

23-MAY-2007

REPRESENTATIONS**Representations received:**

Bognor Regis Town Council

Objection - development is over intensive. Concern re lack of off-street parking and impact on already overcrowded on-street parking in this area.

Local Groups - None

One letter of objection - Parking in this area is already a problem with Regisgate development with no parking. Doubt flats are occupied by keyworkers, where will the cars park?

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POLICY CONTEXT

Within Built-up Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan	DEV1	High Quality Development
	NE17	Roads
	DEV3	Infrastructure Requirements
	DEV4	Travel Needs and Choices
	DEV5	Parking Provision
	CH1	Character
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN4	Location and Travel Demand
	GEN5	Provision of New Residential Development
	GEN7	The Form of New Development
	GEN8	Development and the Provision of Infrastructure

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS23	Planning and Pollution Control

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 be no materially adverse effect on the character of the area and residential amenity.

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 proposal represents amendments to an earlier approval for 20 flats on the site and the principle of the development has therefore been agreed.

The differences between this application and the previous approval relate mainly to the

position of the units within the site provision of a lockable gate from Linden Road and deletion of car parking.

In terms of sustainability and accessibility the site is well located and the proposal would therefore accord with Government advice in this respect.

Block A is approximately 12m closer to the Clifton Road frontage to the site. Block B has been moved across the site to provide a greater distance to Nos. 34 & 36 Linden Road flats were approved 1.4m from the boundary but the development would be closer to Nos. 30 32. A distance of 2.2m was previously provided to the boundary in this part of the site, this is now 1m. The height of the building is 4.6m in this section.

It is considered given the angle of the development to the site boundary and its height there would be no materially adverse effect on residential amenity by reason of overbearing effects. The bedroom window at first floor level would be at an oblique angle to adjoining gardens and would not therefore result in direct overlooking.

The relocation and provision of Block A forward on the site has meant that first and second floor windows in the side elevation of the building are located 4m from the rear boundary of properties in Longford Road. It is considered that this distance is not adequate to prevent direct overlooking of the garden and a condition requiring obscure glazing has therefore been suggested.

The block would be positioned 1.5m from the site frontage at its closet point which would reflect the distance of 17 Longford Road and the Legion Club building from this frontage. The development would therefore be similar in height, character and position to the road frontage and would not look out of place in the street scene in relation to the 2-storey terraced properties to the west in Clifton Road.

The amended layout of the site and deletion of car parking spaces are considered acceptable and the application is therefore recommended for approval subject to the conditions set out overleaf.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 The lower portion of the kitchen windows at first and second floor level on the south east elevation of the block A building shall at all times glazed with obscured glass and the lower portion of these windows shall be fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 5 The south side landing window of block B, closest to the Linden Road frontage, at first floor level shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 6 The building hereby permitted shall not be occupied until all accesses to the site other than hereby approved have been stopped up permanently and obliterated.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 7 The dwellings hereby permitted shall not be occupied until details of cycle parking facilities have been submitted in writing and approved by the Local Planning Authority. These facilities shall be covered and securable.

Reason: To encourage the modal shift and to accord with policies DEV4 of the West Sussex Structure Plan and GEN15 of the Arun District Local Plan.

- 8 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded in writing, by the Local Planning Authority.

(a) A site investigation scheme, based on the Terratec S.I.Ltd report dated 31/01/2008, to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

(b) The results of a site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

(c) A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health in accordance with policies DEV1 of the West Sussex Structure Plan, policy GEN7 of the Arun District Local Plan and PPS23.

- 9 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy DEV1 of the West Sussex Structure Plan, policy GEN7 of the Arun District Local Plan and PPS23.

- 10 This permission relates to the amended elevation and floor plans submitted on 18-02-2008 and not to the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

- 11 INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

- 12 INFORMATIVE: This permission is subject to a planning obligation relating to infrastructure payments.

- 13 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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

STRUCTURE PLAN: DEV1,NE2,NE3,NE17,DEV3,DEV4,DEV5,CH1

LOCAL PLAN: GEN2,GEN4,GEN5,GEN7,GEN8,GEN31

NATIONAL POLICIES: PPS1,PPS3,PPS13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Infrastructure
~~GEN31 Contaminated Land~~

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS23	Planning and Pollution Control

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 be no materially adverse effect on the character of the area and residential amenity.

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 proposal represents amendments to an earlier approval for 20 flats on the site and the principle of the development has therefore been agreed.

The differences between this application and the previous approval relate mainly to the position of the units within the site provision, of a lockable gate from Linden Road and deletion of car parking. X

In terms of sustainability and accessibility the site is well located and the proposal would therefore accord with Government advice in this respect.

Block A is approximately 12m closer to the Clifton Road frontage to the site. Block B has been moved across the site to provide a greater distance to Nos. 34 & 36 Linden Road flats were approved 1.4m from the boundary but the development would be closer to Nos. 30-32. A distance of 2.2m was previously provided to the boundary in this part of the site, this is now 1m. The height of the building is 4.6m in this section.

It is considered given the angle of the development to the site boundary and its height there would be no materially adverse effect on residential amenity by reason of overbearing effects. The bedroom window at first floor level would be at an oblique angle to adjoining gardens and would not therefore result in direct overlooking.

The relocation and provision of Block A forward on the site has meant that first and second floor windows in the side elevation of the building are located 4m from the rear boundary of properties in Longford Road. It is considered that this distance is not adequate to prevent direct overlooking of the garden and a condition requiring obscure glazing has therefore been suggested.

The block would be positioned 1.5m from the site frontage at its closet point which would reflect the distance of 17 Longford Road and the Legion Club building from this frontage. The development would therefore be similar in height, character and position to the road frontage and would not look out of place in the street scene in relation to the 2-storey terraced properties to the west in Clifton Road.

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RECOMMENDATION

APPROVE CONDITIONALLY

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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

(a) A site investigation scheme, based on the Terratec S.I.Ltd report dated 31/01/2008, to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

(b) The results of a site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

(c) A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and report

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health in accordance with policies DEV1 of the West Sussex Structure Plan and policies GEN7 and ~~GEN8~~ of the Arun District Local Plan. *FKS 23*

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- 3 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 The lower portion of the kitchen windows at first and second floor level on the south east elevation of the block A building shall at all times glazed with obscured glass and the lower portion of these windows shall be fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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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

STRUCTURE PLAN: DEV1, ~~NE2~~, NE3, NE17, DEV3, DEV4, DEV5, CH1

LOCAL PLAN: GEN2, GEN4, GEN5, GEN7, GEN8, ~~GEN31~~

NATIONAL POLICIES: PPS1, PPS3, ~~PPS13~~, PPS23

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Sub plans C14A.

