

Recommendation Report for Planning Permission

REF NO: BR/50/19/PL

LOCATION: The Hatters Inn
2-10 Queensway
Bognor Regis
PO21 1QT

PROPOSAL: Amendment to previously approved scheme (BR/266/17/PL) for 24 flats. This application may affect the setting of a listed building & may affect the character & appearance of The Steyne, Bognor Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Amendments to the previously approved scheme under reference number BR/39/18/PL would include the following:

Two glass & steel balconies on western elevation, three on southern, three on eastern and one on northern elevation at the first floor level. Total number of nine balconies would be installed at first floor level measuring from approximately from 3.5 to 5 metres in width projecting 1.4 metres from the existing elevations. The balcony screens would be 1.1 metres in height. The layout of the first floor will be considerably changed within the same area and would be improved; number of flats proposed at this level would be unchanged (7).

Second floor: the depth of balconies on western and eastern elevation would be reduced more than half for a benefit of 8 flats on this floor with an improved layout. The visual separation on the southern elevation would be removed.

The area of the third and fourth floor would be considerably larger with one additional flat (in total 5 at the third and 3 at the fourth floor), some balconies would have an irregular shape and will be deeper and wider.

The number of flats at the fifth floor would be reduced from two studio flats to one large 2 bedroom flat with balconies facing to the west south and east.

In total there are proposed nine 2 bed and fifteen 1 bed flats (33 bedrooms for approximately 63 residents).

External lift and staircase shaft is proposed on the north western corner of the existing block. The stairwell would be 4.3 metres by 4.3 metres in floor area with a height of 14.4 metres. It would serve the second floor only.

SITE AREA	1930 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	124 dwellings/ha
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Development on upper floors. No boundary treatment.
SITE CHARACTERISTICS	Three storey flat roofed building with Hatters Inn at the ground floor. Render at the ground level, pebble dash concrete on the eastern elevation at the first floor level and brick works on the southern and western. Overhang above ground floor public house unit. All the application units are currently empty. Elevations comprise crittall windows and light grey rendered panels at the third floor level.
CHARACTER OF LOCALITY	The application site is located on the dominant corner position on the junction of Queensway with West Street on the opposite side of Methodist Church and the Garden open space to the west to the west of the Steyne Conservation Area within town centre of Bognor Regis.

RELEVANT SITE HISTORY

BR/25/19/NMA	See Application Form	
BR/39/18/PL	Alterations to previously permitted & implemented scheme for 24 units to form balconies to flats 1-10; external lift & staircase shaft; external walkway; winter gardens to flats 11-18; a further bedroom & shower room to flat 19 & an extension to living room to flat 22. This application may affect the character & appearance of The Steyne Conservation Area & may affect the setting of a listed building.	ApproveConditionally 25-05-18
BR/27/18/OUT	Outline application with all matters reserved to enlarge previously permitted 5-storey block comprising 24 units with no affordable provision to a 7-storey block comprising 56 units with a 30% affordable provision. This application may affect the character & appearance of The Steyne, Bognor Conservation Area & may affect the setting of a listed building.	
BR/266/17/PL	Alteration to previously implemented scheme for 24 flats to include a further 2 bedrooms & a further 2 bathrooms on a fifth floor. This application affects the character & appearance of The Steyne, Bognor Regis Conservation	ApproveConditionally 22-01-18

Area & may affect the setting of a Listed Building.

BR/87/09/	Provision of additional 1 bed flat to previously approved scheme (to provide 2 no flats at fourth floor level)	ApproveConditionally 15-07-09
BR/278/08/	Addition of one residential unit to 4th floor of previously implemented scheme	ApproveConditionally 10-11-08
BR/134/08/	Extension & conversion of 3rd floor to form additional 4 no. 2 bed flats following BR/275/06 & BR/13/07 and lift over run to top of 3rd floor	ApproveConditionally 16-07-08
BR/13/07/	Extension & conversion of 2nd & 3rd floors to form 5 No. 2 bed. flats (Resubmission following BR/275/06)	ApproveConditionally 13-03-07
BR/275/06/	Conversion of the 1st & 2nd floors of 2-10 Queensway to form 7no. 1 bedroom & 3 no. 2 bedroom flats to first floor and 2 no. 1 bedroom & 3 no. 2 bedroom flats to second floor involving change of use at first floor from D2 to C3	ApproveConditionally 25-10-06
BR/45/19/PD	Notification for Prior Approval for the proposed change of use of a building from office use (Class B (a)) to 24 No. flats (C3) over two floors.	Objection 09-04-19
BR/296/10/DOC	Application for approval of details reserved by condition 2 of planning application BR/235/07.	DOC Approved 18-10-10
BR/90/08/	Extension of existing kitchen extractor to top of north wall	ApproveConditionally 25-04-08
BR/293/07/	Re-siting of existing air conditioning units from roof to north wall	ApproveConditionally 18-12-07
BR/235/07/	Conversion of 1st, 2nd and 3rd floors to form 19 flats - Amendments to previously approved applications BR/275/06 and BR/13/07	App Cond with S106 01-10-07

BR/342/06/	Variation of condition 4 of planning permission BR/315/94. (Change of opening hours)	ApproveConditionally 08-12-06
BR/146/06/	Removal of condition 2 of planning permission BR/315/94 & condition 2 of permission BR/379/05 to allow the playing of music	ApproveConditionally 16-06-06
BR/379/05/	Variation of condition 4 of planning permission BR/315/94 to change the opening hours to Sunday-Thursday 8am -1.00am and Friday-Saturday 8am - 1.30am and on other "special days" 8am - 2.30am.	ApproveConditionally 11-01-06

The site history started with a conversion of the first and second floor from D2 to residential use followed by a couple of extensions, additions, alterations and amendments resulting in a five storeys residential development of 24 units.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Conservation Officer
Environmental Health
NHS Coastal West Sussex CCG
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:
 Within the built up area boundary
 Northern of the Steyne Conservation Area
 Pagham Harbour Zone B
 Town Centre Retail Boundary
 Secondary retail frontage

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
HERDM3	HER DM3 Conservation Areas
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
RETDM1	RET DM1 Retail development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

Bognor Regis Neighbourhood Plan 2015 Policy 2

Promoting the Seaside Identity

Bognor Regis Neighbourhood Plan 2015 Policy 4

Reducing underuse of property in the town centre

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).

The policies 2 and 4 of the Bognor Regis Neighbourhood Plan 2014 are considered to be relevant to determination of this 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 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

PRINCIPLE

The development in the built up area boundary in a sustainable location where the principle of development is acceptable subject to accordance with development plan policies. Key policies are SD SP2, D SP1, DDM1, D DM2, QE SP1, TSP1 and ECC SP2, of the Arun Local Plan.

D SP1 requires development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrate and new development should have a minimal impact to users and occupiers of nearby properties and land. D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard. QE SP1 requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity. Policy ECC SP2 expects all development to be energy efficient.

Bognor Regis has a 'made' Neighbourhood Plan with Policies 2 and 4 of the Bognor Regis Neighbouring Development Plan are relevant to the determination of the application. Policy 4 states that this Neighbourhood Development Plan intends to support the reuse of currently empty and/or underused properties to make more space for local people to work and live in our highly accessible wider town centre area.

DESIGN AND VISUAL AMENITY

Arun Design Guide Supplementary Planning Document (SPD), a material consideration in the determination of applications, was published under consultation until 21 February 2020. Part R.O1 which deals with Apartments, requires development to provide flatted developments which integrate well with and respond sensitively to their setting. Well-designed apartment buildings will make a valuable contribution to meeting housing.

The proposed development is for an amendment of already approved scheme for 24 units which would result in an improved layouts of the flats. The proposed addition balconies and a stairwell would improve the design in that the residential amenity of the occupiers of the apartments and it would provide improved accessibility to upper floor apartments as well as providing additional passive surveillance of the streets below resulting in improved neighbourhood security.

The amendment as proposed would promote the existing identity of the area and adjacent heritage assets. It is not considered that the development would have a significant impact on the nearby conservation area, listed building or buildings of special character as, overall, the additional development would not add significant scale to the approved development.

The proposal complies with policies D DM1, HER DM3 and D SP1 of the Local Plan and with the relevant requirements of Arun Design Guide.

It has been noted that proposed elevations are not matching with the proposed floor plans. The condition will be attached to this decision requiring the precise drawings.

RESIDENTIAL AMENITY

Since this proposal would reduce the number of balconies approved under reference BR/39/18, removing previously proposed walkway on the northern elevation at second floor level it is not considered that proposed amendments would create a significant additional loss of residential amenity in terms of loss of privacy, overbearing impact or loss of light. In addition, within town centre where the application site is located a closer relationship of residential apartments is rather common feature.

Therefore it is considered that the proposed amendments due to their nature, position and design would have a minimal impact on occupiers of nearby properties resulting no unacceptably adverse harm on neighbouring amenity by way of overshadowing, overbearing or overlooking and as such accords with D DM1 and QE SP1 of the Arun Local Plan.

COMPLIANCE WITH SPACE STANDARDS

Policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the building is suitable for residential use. The proposal is extending the floor space are with the same number flats as approved (24) therefore it is considered that the proposed internal floor spaces and layouts would be improved and more convenient than that approved before.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This replaces policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. The Arun Design Guide stresses the design of new homes should provide clear delineation of public and private spaces; incorporating a 'public front' and private 'back' to the rear of the site, providing private gardens. Regard should be had to para 127 of the NPPF which requires development has a high standard of amenity for existing and future users. Some of the previously approved balconies would be reduced, however given the location of the development with an existing public open space to the west and the seaside within a walking distance the proposal is considered acceptable.

The proposal complies with policies D DM1 & D DM2 and with the guidance in the NPPF (para. 127).

HERITAGE

Having considered the adjacent heritage assests it is considered that no harm will be created to them. Therefor the approval of the scheme would accord with the heritage policies of the Local Plan and the guidance from para 190 in the NPPF on these issues.

PARKING

No parking is proposed in the development and this reflects that of the previous scheme. The newly adopted Arun Parking Standards are noted. This town centre site has excellent access to means of transport other than the car and is in close proximity to all necessary town centre facilities. Therefore the absence of parking is acceptable given the previous permission.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives and is subject to a s106 legal agreement.

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.

SECTION 106 DETAILS

This decision will be granted in conjunction with a Section 106 legal agreement relating to affordable housing, education, library and fire contributions.

RECOMMENDATION

- 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:
Drawing No. 9 Rev 1 Location and Block Plan
Drawing No. 02 First and Second Floor Plan
Drawing No. 03 Third and Fourth Floor Plans
Drawing No. 04 Rev A Fifth Floor Plan
- 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 No development other than internal works shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, balconies and roofs of the proposed development 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.
- 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 D DM1 of the Arun Local Plan.
- 4 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.
- 5 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall included details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
- Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policy T SP1of the Arun Local Plan.
- 6 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.

7 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement to include affordable housing provision, education, fire and library infrastructure.

8 INFORMATIVE: Private Sector Housing

Fire Safety

- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document - "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"

- A room where the only escape route is through another room is termed an "inner room" and poses a risk to its occupiers if a fire starts unnoticed in the outer room. The escape routes from the proposed second bedroom in flat 19 the living room/kitchen, and an escape window is not acceptable above 4.5m therefore the layout of this flat should be reconsidered.

Room Sizes

- Room sizes should meet the minimum standards for houses in multiple occupation if the flats are intended to be rented.

General

- Must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards;

- Must meet the requirements of the Arun District Council Houses in Multiple Occupation Standards (2016);