

Recommendation Report for Planning Permission

REF NO: BR/59/21/PL

LOCATION: 10 Oakhurst
22-24 Upper Bognor Road
Bognor Regis
PO21 1FW

PROPOSAL: Change from studio flat to 1 No. 1 bed unit with dormer extension. This site may affect the setting of a listed building, may affect the character & appearance of the Upper Bognor Road and Mead Lane Conservation Area. This site is in CIL Zone 4 (Zero Rated) as flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
BOUNDARY TREATMENT	Flint walling to the front and brick wall around the garages to the rear.
SITE CHARACTERISTICS	The building the subject of this application has been identified as a Building or Structure of character and is a nondesignated heritage asset as a result.
CHARACTER OF LOCALITY	The site is in the Bognor Regis (Upper Bognor Road and Mead Lane) Conservation area. The conservation area consists of an important and imposing set of principally late 18th Century buildings fronting Upper Bognor Road which were built by Sir Richard Hotham, as part of an overall plan to make Bognor attractive as a resort. Contrasting in scale and character to that development is Mead Lane and surrounding roads which contain residential development of higher density of a mixture of styles and ages. There are a number of listed buildings in the local area, including 43-51 Upper Bognor Road, with the closest being The Shrubbery. The Shrubbery is a Mid C.19 Stucco fronted building of 2 storeys with semi basement in the picturesque manner. It is imposing on the streetscape and forms an important group with the neighbouring listed buildings.

Relevant site history noted.

REPRESENTATIONS

Bognor Regis Town Council: No objection

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officers Comments: The proposal is for the change from a studio flat to a 1 bed flat unit with dormer extension. The dormer extension would be at the rear of the building and not visible from the public realm to the front. Whilst the design of the dormer could be improved, it is considered its location is such that it would not be visible from the public realm, or in the context of the various listed buildings. As a consequence, it is considered that it will have a neutral impact.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

Within the Conservation Area

Pagham harbour Zone B

DEVELOPMENT PLAN POLICIES

[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)
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
TSP1	T SP1 Transport and Development

[Bognor Regis Neighbourhood Plan 2015 Policy 8A](#) Design Excellence

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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.

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 proposal is not considered to result in any harmful impact upon the character of the host building, or its locality. Furthermore, the proposal is not considered to result in any harmful impact on residential amenities of neighbouring occupiers.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies considered are D SP1, D DM1, D DM2, T SP1 of the Arun Local Plan.

Policy D SP1 of the Arun Local Plan requires development to make efficient use of land reflecting the characteristics of the site and local area.

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.

Policy D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard.

DESIGN AND VISUAL AMENITY

Arun Local Plan policy D DM1 lists a series of 15 factors that development must comply with - these include character, impact and public realm.

Arun District Council have an adopted design guide which is a supplementary planning guidance document and is of relevance.

The proposal will be to the rear of 10 Oakhurst Upper Bognor Road. Due to the location of the proposal it is not considered to appear unduly dominant upon the street scene. With limited views available from the public realm. Materials will match that of the existing building as such it is not considered to appear harmful to the wider street scene and as such is acceptable. The use of the materials also assist in the scheme not being considered to cause harm to the building of character. Furthermore, the location of the dormer to the rear is considered to be appropriate as the views of the proposal will be limited and the character of the building from the public realm is not considered to be harmed.

The surrounding properties are mixed in appearance however the property is considered well integrated and appears similar in design to the neighbouring property to the south at 'Gerard Lodge', which is considerably larger in size but similar in height, allowing it to appear sympathetic within the street scene.

The proposal is considered to comply with ADC design guide in such that it emulates the existing established pattern of development, with design features that complement the surrounding area. It also increases the efficiency of the land which is currently vacant as it will provide housing and parking.

As a result of the siting and design, the proposal is deemed to accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Arun Local Plan 2011-2031 policy D DM1 requires the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

The proposal will have a height just under 8.4m and extend across the site, retaining a minimum of 1m to each the southern and northern boundary.

Whilst a building will add bulk to the site, as a result of the design it is not considered to appear adversely overbearing or overshadowing in appearance upon the properties to the rear or front of the site.

There is some private amenity space forming a rear garden and with a fence along the boundary, this again is not considered to result in additional harm upon the occupiers to the rear of the site.

The proposal is not deemed to give rise to adverse overlooking, overbearing or overshadowing and accord with D DM1.

AMENITY SPACE

Policy D DM2 of the Arun Local Plan 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 therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the proposed dwelling is suitable for residential use.

A 1B2P 1 storey property should have a floor area of at least 50m².

The proposal increases the floor space by approximately 9.85m² creating a total of 41m². Whilst this does not meet the standard it is considered that the increase in size allows the proposal to better meet the needs of the individual.

CONSERVATION AREA

Where the building is located in a Conservation Area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act states:

In the exercise, with 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 or appearance of that area.

Under para 196 of the NPPF the proposed development will lead to no harm to the conservation area

due to its size, design and lack of visibility in the public realm.

PARKING

T SP1 of the Arun Local Plan supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

The Arun District Council Parking Standards for a 1 bedroom property in this type of location (Parking Behaviour Zone 2) requires a minimum of 2 car parking spaces on site. It is noted that the site falls within a sustainable location.

There is currently a 1 studio flat in the location, as such it is not considered the proposal would increase the intensification of the site therefore the existing parking spaces are considered sufficient.

There is also sufficient cycle storage provided to the ground floor.

SUMMARY

The proposed development is deemed to accord with relevant development plan 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.

SECTION 106 DETAILS

Enter Summary of Details of the Section 106

CIL DETAILS

This application is not CIL Liable.

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:
- Proposed Second Floor Plan and Section Plan 6220:1
 - Location and Block Plans, Existing Floor Plan, Existing and Proposed Roof Plan 6220:3
 - Proposed Elevations 6220:1

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 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.