

Recommendation Report for Planning Permission

REF NO: BR/64/12/

LOCATION: 30 West Street
Bognor Regis

PROPOSAL: Change of use from daycentre to office use only (domicillary care agency - class B1).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Application relates to a terraced two storey property currently vacant but previously used as daycentre.

Change of use is sought to use premises as a domiciliary care agency office comprising a reception/waiting area at the front of the building with managers office, staff room and storage rooms to the rear.

Building will be used as offices for the coordination of visits, staff training and meetings. Apart from the installation of office furniture and equipment, no changes are proposed to the fabric of the building itself.

SITE AREA

120 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

n/a

SITE CHARACTERISTICS

In general two storey development predominantly in terraces. Property has the benefit of a traditional timber shop front.

CHARACTER OF LOCALITY

Mix of business and residential units.

RELEVANT SITE HISTORY

BR/263/01/ Change of use to day centre for the homeless ApproveConditionally
20-11-2001

Noted.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

raise no objection.

Comments on Representations received:

Noted

CONSULTATIONS

Conservation Area Advisory Com

Consultations responses received:

Conservation Area Advisory Committee raise no objection.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:
(NOT REQUIRED FOR CLE/CLP)
Within Built Up Area
Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN7</u>	The Form of New Development
	<u>AREA2</u>	Conservation Areas

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.

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

In terms of principle given the sites location within the built up area there is no objection to a change in the commercial use of this building. The area is characterised by a mix of residential and commercial premises given its location close to the town centre and seafront.

As the proposal does not involve any physical alterations and the shopfront is being retained the character and appearance of the Conservation Area is preserved and therefore the requirements of Section 72 of the Planning (Listed Buildings and Conservation Act) 1990 are met.

The use of the premises as B1 office use will have no adverse impacts on residential amenity as by definition such uses can operate within residential areas without detriment to the living conditions of residents.

The use of the premises as proposed is very similar and has less potential in terms of impacts to that of the previous use which would have involved customers visiting the site on a regular basis.

In conclusion given the comments above there is no planning objection to the proposed use and accordingly approval is recommended subject to the following conditions.

HUMAN RIGHTS ACT

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 for 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 neutral 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).

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 plan (1:1250), block plan (1:500), ground floor plan (1:50).

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 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: GEN2,GEN7, 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.