Recommendation Report for Planning Permission

REF NO: **BR/6/14/**

LOCATION: Allen House
112 Aldwick Road
Aldwick

PROPOSAL: Conversion of existing two storey house including roof extension, raising of front roof height & ground floor infill extension to create 6 no self contained units. Resubmission of BR/223/13

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The only difference between this application and the approved scheme under BR/223/13 is in that the ridge height will be approx. 0.55m higher. This enables the top floor bedsit flat to gain 7m2 worth of space and become a one bedroom flat (comprising separate bedroom, separate lounge/kitchen and separate bathroom) rather than a bed sit (lounge/kitchen/bedroom with separate bathroom).
SITE AREA	0.029 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	138 units per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	A 1m high solid wall to the front of the property. A single storey pitched roof garage marks the boundary to the rear of the property.
SITE CHARACTERISTICS	Two storey terraced 4no. bedroom Victorian dwelling.
CHARACTER OF LOCALITY	Residential in close proximity to Bognor Regis town centre.

RELEVANT SITE HISTORY

BR/290/11/	Conversion of existing 2 storey house including a roof extension to create 3 no. additional self contained units	ApproveConditionally 12-07-2012
BR/29/12/	Demolish existing garage & make good existing party wall. Erect 1 no. new 2 storey 2	Refused 25-07-2012

	bed dwelling	
BR/223/13/	Conversion of existing two storey house including roof extension, front dormer extension and ground floor infill extension to create 6 No. self contained units	App Cond with S106 18-12-2013

BR/223/13 was approved at Planning Committee in December 2013.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Bognor Regis Town Council

Aldwick Parish Council - Members have no objection to the application.

Bognor Regis Town Council - No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

WSCC Strategic Planning
Engineers (Fluvial Flooding)
Environmental Health
Engineering Services Manager

Consultations responses received:

West Sussex Highways: "This site already benefits from an extant planning permission (BR/223/13) for 6 x self-contained units. It is understood that the applicant wishes to alter layout of the site to allow improved accommodation for flat 5 from a bedsit to a one bedroom flat. The current application therefore in essence seeks only to extend/renew the time limit for the implementation of this permitted scheme. The highway implications of this proposal have been considered in detail as part of the permitted scheme. It is not considered that there have been any significant material change in circumstances that would justify a change in recommendation from that previously offered. On that basis, no highway objection would be raised".

Drainage Engineers: "In keeping with the earlier application, we have no comments".

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designations applicable to site: Within built up area boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development
	DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX6 Interim Affordable Housing Policy

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.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will

take place once the remaining chapters / policies have been published.

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

The principle of this flatted conversion was established with BR/223/13. The only change concerns the raising of the ridge height in order to gain more space in the top floor bed sit flat. Whilst this does alter the appearance of the building in the streetscene, it is not considered to have a detrimental impact. As is clear from the submitted streetscene drawing, neighbouring dwellings are a mix of heights with no sense of uniformity. The proposal will bring the height of the dwelling closer to but not as high as 108. The raising of the roof also has no impact on any neighbouring properties with window positions unchanged.

It is now necessary to assess the policies in the emerging Local Plan including D DM2 Internal Space Standards and D DM3 External Space Standards. However, whilst the proposal may not meet the standards in these two policies, regard is had to the fact that the scheme has already been approved and that the accommodation is increasing (by 7m2 in respect of the top floor bedsit). There is therefore no objection under policies D DM2 and D DM3. It is therefore recommended that permission be granted subject to the following conditions (which are the same as imposed by BR/223/13).

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 to 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 (Neutral) 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).

SECTION 106 DETAILS

An Interim Affordable Housing Policy was approved by Full Council on 18th August 2010. The policy states that the Interim policy is in accordance with the National Planning Policy Framework and for developments of 1-14 units an affordable housing provision of 15% will be sought district wide. The previous application was subject to an affordable housing contribution of £6,624 and the same amount still applies.

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: Sheet 1 of 5; Sheet 2a of 5; Sheet 3a of 5; Sheet 4 of 5; and Sheet 5 of 5.

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 With the exception of the cement board white cladding, the materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

4 The window serving the kitchen of flat No.6 at third floor level on the west elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

5 The dwellings shall not be occupied until secure and covered cycle storage has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The storage areas shall not thereafter be used for any purpose other than the parking of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of cycles in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

6 Before the dwellings hereby permitted are occupied, dustbin enclosures shall be provided in locations as identified on 'Sheet 1 of 5' in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. The enclosures shall therafter be retained in perpetuity.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policy GEN7 of the Arun District Local Plan.

7 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.

8 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement securing a financial contribution towards affordable housing provision in the District.