

Recommendation Report for Planning Permission

REF NO: BR/85/22/PL

LOCATION: Public Conveniences
Bedford Street
Bognor Regis

PROPOSAL: Internal reconfiguration of existing public conveniences with associated changes to the entrance and removal of part of roof, This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks internal reconfigurations of the toilet block and some external alterations to the entrance and the design of the roof.
TREES	None affected by the development.
BOUNDARY TREATMENT	The building has no boundary treatment, fronting Bedford Street.
SITE CHARACTERISTICS	The site is occupied by a single storey detached building that serves as public toilets. It is to the east of a supermarket (Morrisons).
CHARACTER OF LOCALITY	The area is mixed in use featuring both residential and commercial uses.

REPRESENTATIONS

Bognor Town Council - No objection.

5 representations from nearby occupiers with three noting objections.

- Much better to have fewer toilets that open to the street and were larger to accommodate buggies, children, wheelchairs.
- Will replacement toilets be constructed?
- Does this plan take into account peoples (both female & male) right to privacy and safety.
- It would be unsafe to have unisex toilets.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The toilets will not be removed, just reconfigured.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary
Town Centre Retail Boundary
Economic Growth 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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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 revised Bognor Regis Neighbourhood Development Plan was made on 11/11/2015 although none of the policies are relevant to this proposal.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

Bognor Regis has a made Neighbourhood Plan although none of the policies are relevant to this application.

DESIGN AND VISUAL AMENITY

The proposal retains the footprint of the building with external and internal reconfigurations including opening up the entrance to form one large in/out access and blocking up individual male/female entrance doors. Internally the cubicles will be replaced and the building will form a unisex unit opening to a wide central communal area. Basins and dryers would be contained in each cubicle.

The site is one of the councils most well used public conveniences. They are subject to frequent anti-social behaviour, including drug dealing in the closed communal area. The design is proposed to help combat this anti-social behaviour. Existing closed communal areas in the toilets are out of sight and anti-social behaviour is less likely to occur by having a visible communal area with closed cubicles.

The entrance to the southern (front) elevation will be enlarged and the individual entrances blocked up with lockable gates, similar to the existing.

The central communal area does not have a roof above and instead has an open section which runs the length of the building.

The scheme will provide 2 accessible access toilets with baby change, one more than currently, supporting the needs of the wider community. A further two of the cubicles would have baby change facilities.

The alterations will have a modest impact on the external appearance of the building, with changes predominately internal. The infill to the doors will be in materials to match the building and is in character with development on site.

The Arun Design Guide encourages development that 'responds to the existing scale and massing of the surrounding built environment, emulating this scale in the majority of cases' and 'Responds to the existing landscape by considering orientation, key views and natural features'. The proposal complies with this maintaining the existing scale, in keeping with the area and with the entrance to the south, its orientation fronts the public realm.

With changes to the external appearance minor in nature, the development will not have an adverse impact on the appearance of the building or the surrounding area in compliance with D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

RESIDENTIAL AMENITY

No neighbouring dwellings will be significantly affected by the proposal. To the rear of the site is Crescent Road. The building will retain its existing dimensions and would have the same visual appearance from the rear of the site as it does currently with no changes to this elevation.

The internal alterations and changes to the entrance would not result in an increased level of noise and disturbance additional to that which are currently achieved.

Given the scale of the building will not change, the development would not have a significant impact on neighbouring residential amenity in terms of overbearing, overshadowing or overlooking in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The policies most relevant to the determination of the application are not out of date and therefore paragraph 11(c) of the NPPF applies.

The development complies with relevant development plan policies and is recommended for approval subject to 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 positive impact on the protected characteristics of age, disability and maternity.

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

- Location and Block Plan - 1008/05
- Existing and Proposed Floor Plans - 1008/01 Rev D
- Proposed Elevations - 1008/03 Rev A
- Existing and Proposed Roof Plan - 1008/04 Rev A
- Section through proposed parapet - 1008/09

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 The materials used to infill the entrances to the southern elevation shall match in colour and texture to those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.

- 4 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.