

Recommendation Report for Planning Permission**REF NO:** BR/91/13/**LOCATION:** Camden House
High Street
Bognor Regis West Sussex**PROPOSAL:** Conversion of existing residential flats to contain 1 additional single bedroom flat in rebuilt roof**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The rebuilding of the existing roof to create a mansard roof to provide for an additional one bedroom unit.
SITE AREA	Approximately 360 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front and side boundary directly onto the road, rear has elevation of warehouse building.
SITE CHARACTERISTICS	Three storey building currently divided into 3 no. flats. The building has blockwork elevations painted cream, white window frames with a tiled roof.
CHARACTER OF LOCALITY	Town Centre Location with retail and commercial uses. Building is located to the rear of premises in London Road and access via High Street. Public House to east of site.

RELEVANT SITE HISTORY

BR/298/05/	Change of use from storage/office to 2 no. residential flats	Approve Conditionally 13-10-2005
BR/124/06/	Change of use to 2 flats and 1 bed sitting room.	Approve Conditionally 16-06-2006

REPRESENTATIONS**Representations received:**

Bognor Regis Town Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Environmental Health

Consultations responses received:

Environmental Health

Awaited

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Class B Road (High Street)

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV17](#)

Built-up Area Boundary

The Form of New Development

Affordable Housing

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 residential and visual amenity.

The Development Plan consists of the Arun District Local Plan 2003 which was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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 published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 building is located to the rear of retail units in London Road with access from the High Street. To the rear is an unoccupied two storey building formally used by Hawthorn Builders as an office/storage and immediately to the east is the William Hardwicke Public House with garden area to the rear. The application seeks to convert and rebuild the roof to create an additional one bedroom unit.

The building which was formally offices had approval for the conversion into three units under BR/126/06 which was approved on the 16.6.06. The front of the building which is the main entrance faces onto the vehicular/pedestrian access off the High Street. To provide for an additional unit at third floor level the existing roof is to be replaced by a mansard roof which will increase the overall height of the building from 10m to 10.7m. Two new windows are to be installed on the western side with the installation of a window to the front on the south side and a window on the rear north side elevation. There would be no material increase in the footprint of the building. The surrounding buildings are a mixture of two and three storeys and it is not considered that the marginal increase in height with the additional unit would be an overdevelopment of the site within a town centre locality.

With regard to residential amenity the windows on the west side elevation would look directly onto the rear parking areas of the retail units in London Road. To the rear is a redundant office/storage building and the window on the south side would look directly onto the vehicular/pedestrian access. It is not considered that the windows would create any additional overlooking than currently exists.

There is no allocated parking provision for the units but due to its town centre location and relaxed parking requirements it would be unreasonable to resist the application on parking issues. County Highways raised no objections on the previous application BR/124/06 on highway safety grounds.

A unilateral undertaking for the Affordable Housing Contribution has been completed.

It is therefore recommended that the application be approved, subject to 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 (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 a neutral impact has 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: Location 1:1250, Block 1:200 Drg No ADS-004 received on 15th May 2013, Proposed Floor/Elevations 1:100 Drg No ADS-002 Rev B received on 28th May 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension 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 bathroom window on the west side elevation of the extension shall at all times be glazed with obscured glass.

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

- 5 No windows shall be constructed in the east side elevation of the extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 6 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, DEV17, Interim Affordable Housing Policy

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 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.