

Recommendation Report for Planning Permission

REF NO: BR/95/22/PL

LOCATION: Seymour Place
Queensway
Bognor Regis
PO21 1RT

PROPOSAL: Installation of a bin store. This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks a bin store to the rear of the property.
BOUNDARY TREATMENT	The property fronts Queensway.
SITE CHARACTERISTICS	The site is occupied a three storey building which serves flats.
CHARACTER OF LOCALITY	The area is mixed in use, within close proximity to Bognor High Street. Many of these building feature commercial units to the ground floor with residential above.

None.

REPRESENTATIONS

Bognor Regis Town Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built up area boundary
Pagham Harbour Zone B
Economic Growth Area

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

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 Bognor Regis Neighbourhood Development Plan was made on 5/11/14 and its policies are referred to in this report.

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

- (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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The key policy is D DM1 Arun Local Plan.

Bognor Town Council have a made Neighbourhood Plan although none of the policies are relevant to this application.

DESIGN AND VISUAL AMENITY

Currently bin storage is internally in the kitchen cupboard of each flat. The proposal seeks to construct a communal area for bin storage located to the rear of the site.

The bin storage area will not be visible from the street scene due to it siting set back from Queensway by approximately 25m.

To the rear of the site is a car park and there is a small area with unmaintained landscaping. This will be replaced with a concrete base to serve a bin store which will be a steel frame structure with brown clad panels. This will have a depth of 1.3m, a length of 6m and a height of 1.8m. It will provide an enclosure for the bins which is unlocked when it requires emptying. This helps to ensure the area will remain tidy and the rubbish is well contained.

This appears appropriate in size and is an acceptable location in such that it does not restrict the use of the car park and is in a reasonable distance from the flat access.

The proposal will not result in harm upon the appearance of the wider area in accordance with the street scene in compliance with policy.

RESIDENTIAL AMENITY

The bin storage area will be located a sufficient distance away from the rear of the nearest flats at No.1-3 Seymour Place. To the rear of the bin storage there is a brick boundary wall to a height of around 1.5m. This restricts much of the view from the adjoining neighbours to the rear at 6-8 Canada Grove.

The proposal due to its size and design which is modest will not result in adverse harm upon amenity in compliance with D DM1 of the Arun Local Plan.

SUMMARY

The proposed development complies with development plan policies and 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.

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 Site Plan - O-SP-P-SLP-P
- Proposed Elevations - O-SP-P-PBM4-E-P

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.