

Recommendation Report for Planning Permission

REF NO: FP/232/18/PL

LOCATION: Public Conveniences
Snooks Corner
Sea Road
Bognor Regis

PROPOSAL: Change of use from public conveniences (Sui Generis) to storage (B8 Storage or Distribution).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is make no physical changes to external appearance of the exiting building, however, to seek planning permission for the change of use to B8 storage. The access to the site would be retained.
SITE AREA	Approx. 41 Square metres.
TOPOGRAPHY	Predominantly flat.
TREES	There are no trees affected by the proposal.
BOUNDARY TREATMENT	Retained boundary wall and fence to the rear. open onto the street scene.
SITE CHARACTERISTICS	Single storey detached building with plain tile pitched roof, located on Snooks Corner in village of Felpham. The site is served by pedestrian access only.
CHARACTER OF LOCALITY	The site located in a residential area whilst abutting the Butlins leisure site to the north.
None.	

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council
Felpham Parish Council
No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Estates Manager

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
Class A Road.

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way

[Felpham Neighbourhood Plan 2014 POLICY
ESD10](#)

Design details

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The relevant FNDP have been considered 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 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

PRINCIPLE:

This site is located within the built-up area boundary where the principle of development is acceptable subject to other policies within the local plan and including development control criteria such as residential amenity and parking.

ALP policy D DM1 requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details"

Furthermore, policy QE DM1 states that:

"The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the

natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District."

DESIGN & LATOUT

It is considered that the overall impact when it comes to design and layout is de minimis resulting in a scheme that is limited in harm to the street scene, or area character setting. Therefore the proposal meets the above policy requirement of the Local Plan July 2018 and Felpham Neighbourhood Plan 2014 POLICY ESD10.

SITE SUITABILITY

Officers consider this site will be able to operate as a stand alone unit without adversely affecting or disturbing the surrounding uses. The change of use from redundant public toilets to B8 storage is acceptable in that the type of storage use would generate low movement to and from the site, comparable to the previous use. The site is council owned and therefore the future use remains under the control of the Local Authority.

RESIDENTIAL AMENITY:

Although there are residential properties opposite, they are of a safe distance. The type of storage proposed is not dissimilar to the storage of domestic items, therefore, the officers consider the proposed use would create a limited amount of harm. It is considered that the storage unit by virtue of its use would not result in any harm to residential amenity by virtue its modest nature and location. not withstanding this, the officers suggest the proposal should have limited access hours agreed via condition.

No deliveries shall be taken or despatched from the site outside the following times:

07.00 - 18.00 on Mondays to Fridays;

Reason: In the interests of amenity in accordance with Arun Local Plan Policy DDM1.

As such, the proposed development is considered to be in accordance with D DM1 & DSP1 of the Arun Local Plan (2011-2031).

Resultant of this, and the general aspect of the development, the proposals are not considered to have any significantly detrimental overbearing impact on occupiers of surrounding residences.

HIGHWAYS & PARKING:

The use of the site from public conveniences to B8 storage is not dissimilar in nature, the current arrangement relies on deliveries and cleaning of the facility by contractors who would park in the unrestricted road parking. This aspect would not change as a result of the permission being granted.

The proposed development is considered to be in accordance with T SP1 (Transport and Development) of the Arun Local Plan (2011-2031).

SUMMARY:

The site is owned by the Council. However under the scheme of delegation the application can be determined under delegated powers as the application is not "by or on behalf of the Council"

It is considered that this change of use is acceptable having regard to the hours of access and type of storage, there is a limited impact upon the amenity of nearby residential properties and the safety of the local highway. Accordingly, it is recommended that permission is granted subject to the following conditions.

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:

Site Plan (Scale 1:1250);
Floor Plans Proposed - 1/50 REV 16/10/18
Floor Plans Existing - 1/50 Rev 16/10/18

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policy D DM1 of the Arun District Local Plan.

- 3 No deliveries shall be taken or despatched from the site outside the following times:

07.00 - 18.00;

Reason: In the interests of amenity in accordance with Arun Local Plan Policy DDM1.

- 4 The building shall only be used for B8 (storage) only. This shall be according to the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun Local Plan policies DDM1.

- 5 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.