

Recommendation Report for Planning Permission**REF NO:** **FP/71/13/****LOCATION:** St. Marys Centre
 Grassmere Close
 Bognor Regis**PROPOSAL:** Conversion of loft space to form new meeting room and insertion of 4 No. rooflights**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal is to insert roof lights into the side to create a meeting room in the roof and reorganise the ground floor.
SITE AREA	0.078
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing to the side.
SITE CHARACTERISTICS	Church hall and Parish meeting rooms. Single storey brick with tiled roof and car park to front.
CHARACTER OF LOCALITY	Mixed residential and commercial as close to the local shops. Adjacent to the Parish Church.

RELEVANT SITE HISTORY

FP/126/90	Community Hall	Approve Conditionally 26-09-1990
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REPRESENTATIONS**Representations received:**

Felpham Parish Council

No objection provided there is no impact on existing tenants in the building. There does not appear to be any secondary means of escape. Concerned that there will be potential disruption during the construction period. Request a condition that sound proofing is installed (a copy of the letter has been sent to the Parochial Church Council).

Comments on Representations received:

Noted. Means of escape is a building regulation matter. It is noted that you have notified the owners of your request. It is not considered to be appropriate to impose such a condition as this is part of the buildings regulations.

Others:
None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:
Within the Built up Area Boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [GEN7](#) The Form of New Development

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 visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 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.

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

PRINCIPLE:

The site is within the built up area boundary where development is acceptable in principle subject to normal development control criteria such as visual and residential amenity being satisfactory. It is considered that the proposal is satisfactory.

VISUAL AMENITY:

The proposal is to insert 2 roof lights on the south elevation and two roof lights on the north elevation. These are located close to the eaves level of the single storey building in line with the central existing window on the south and in a central position on the north. It is not considered that these rooflights result in any significant loss of visual amenity.

RESIDENTIAL AMENITY:

The community church centre does not have any immediate residential properties in close proximity, and due to the orientation of the building, the windows cannot be seen from the dwellings in either Eastover Way, or Grassmere Close. Therefore it is considered that the proposal will not result in any loss of residential amenity.

INCREASED FLOOR SPACE:

The proposal to create a new meeting room will create an additional 47sqm of floor space within the existing roof. The ground floor is shared between the Parochial Church and the Parish Council and all office space will remain as existing. It is not considered that this marginal increase would create any significant harm to the area or to the existing users of the Centre.

SUMMARY:

The insertion of roof lights is not considered to cause any visual harm and the creation of an additional meeting space within the roof void is not considered to result in any significant harm to users of the centre or the surrounding area. Therefore it is recommended that the application is approved with the following 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 (8) 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 none of the following impacts (negative, Neutral or positive) 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).

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 drawings 11280.03, 11280.04, 11280.06, 11280.05.

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 **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: GEN7

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.

- 4 **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

report

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.