

PLANNING APPLICATION REPORT

REF NO: BR/329/18/PL

LOCATION: 123 Longford Road  
Bognor Regis  
PO21 1AE

PROPOSAL: Change of use of single dwellinghouse to 2 No. residential apartments.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	The dwelling would be converted into 2, two bedroom split level maisonettes. Each unit is served by bathroom, sitting room and kitchen. It should be noted the internal layout would allow for the main entrance to serve the upper floor and a rear side door to serve as the principle access to the ground floor. No parking is provided and the amenity space would serve the ground floor unit only.
SITE AREA	0.03 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open to the front abutting the road. It was not possible to access the very rear of the garden to check the boundary treatment.
SITE CHARACTERISTICS	Existing semi-detached three storey dwelling house. Five existing bedrooms spread over the first and second floors. The building is pebble clad rendered with a clay tile roof. Existing rear garden.
CHARACTER OF LOCALITY	Predominantly residential. Parking is restricted with a double yellow line abutting the site and a single yellow opposite. The site is in easy walking distance to the Bognor Regis Railway.

Noted.

<b>REPRESENTATIONS</b>
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**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

"Objection: on the grounds this proposal is overdevelopment, resulting in the loss of a family residence in the area. The Committee is concerned with the lack of parking provision in the application which would add to the on-street parking problems in Longford Road".

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Overdevelopment and parking provision will be considered in the conclusions section of the report.

## CONSULTATIONS

Environmental Health  
Network Rail  
WSCC Strategic Planning

### CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - raise no objection and consider the proposal would not have any unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. Consent should be given on condition of securing an independent or communal cycle parking provision.

ADC ENVIRONMENTAL HEALTH - no comments received.

NATIONAL TOWN PLANNING MANAGER (NETWORK RAIL) - no comments received.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

## POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;  
Pagham Harbour Zone B; and  
Class B Road.

### DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM2	ENV DM2 Pagham Harbour
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WMDM1	WM DM1 Waste Management

### 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.

There are no relevant Bognor Regis Neighbourhood Development Plan policies.

## 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 impact 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. The parking provision is also considered acceptable as the host dwelling is located in a sustainable location and there is a net loss of one bedroom as a result of the conversion.

## 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:

Regard should also be had to policy SD SP1 of the ALP which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It is considered that the site is in a sustainable location within walking and cycling distance of a range of shops, facilities and services including bus stops, a large food store and a railway station.

Paragraph 118 (d) of the NPPF states that "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified

needs for housing". It goes on within the relevant footnote to state that: "As part of this approach, plans and decisions should support efforts to identify and bring back into residential use empty homes and other buildings".

Paragraph 123 of the NPPF states that "Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site."

The proposal is therefore in accordance with policies SD SP1 & SD SP2 of the Arun Local Plan.

#### CHARACTER OF THE AREA:

Policy D DM1 of the Arun Local Plan requires that the Council seek to make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area. It also requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is also necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. In terms of density, D DM1 requires that new housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. However, higher densities will be more appropriate in the most accessible locations. The policy also requires that the scale of development keep within the general confines of the overall character of a locality.

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.

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)."

There are no changes proposed to the external appearance of this building and therefore, it is only relevant to consider the impact of the additional dwelling on the established residential character of the area. There is a mix of house types in the area from purpose built flats to individual units. It is not therefore considered that a single dwelling to two new units would not be out of character in this mixed location.

Policy D DM4 - Extensions and alterations to existing buildings (residential and non-residential). There would only be slight alterations to the existing side and rear elevations of the property - infilling a rear door and replacing a window like for like. Therefore officers accept minimal changes with little impact to the building character and appearance.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1, D SP1, D DM4 and with the guidance on character within the NPPF.

#### RESIDENTIAL AMENITY:

Arun Local Plan 2011-2031 policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of

nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

Furthermore, policy QE SP1 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."

There are no new windows proposed and the only changes in room type are that the pantry to the rear ground floor would become a bedroom and the first floor bedrooms become a sitting room and kitchen. As such, the only new overlooking impacts that will occur is from the rear ground floor bedroom and this is screened by a covered area to the rear and boundary treatment screening the outlook across to the rear garden of the abutting property. No additional harm would be created as a consequence of development to the detriment of neighbouring occupiers.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1, QE SP1 & QE DM1.

#### **PARKING & HIGHWAYS:**

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of highway safety, it states that:

"The Council will support transport and development which: (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

Paragraph 108 of the NPPF states that: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should also be had to paragraph 109 which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The application site is in an accessible town centre location. The railway station is positioned no more than a ten minute walk, and provides regular train services to Barnham, Chichester, Littlehampton, Arundel and beyond. There are numerous bus stops, such as those is Longford Road, and Hotham Way providing services to a wide range of local destinations. In addition a taxi rank is provided at the railway station. Due to its central location, it is not considered parking generation would lead to a highway safety issue owing to parking availability. This is supported by the Highways comment with consent subject to a condition for securing an independent or communal cycle parking provision.

It is therefore considered that the proposal is in accordance with policy T SP1 of the ALP and with the guidance on highway safety within the NPPF.

## INTERNAL & EXTERNAL SPACE STANDARDS

Policy D DM2 of the ALP states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the two houses are suitable for residential use.

Flat 1 would have a gross internal floor area of approximately 79.2m<sup>2</sup> (852 sq ft) and Flat 2 would have a gross internal floor area of approximately 52.4m<sup>2</sup> (564 sq ft). Both proposed apartments would have two bedrooms and would be suitable for family occupation therefore all dwellings are in accordance with the standards.

ALP policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes. However, regard should be had to paragraph 127 of the NPPF which requires that new development has a high standard of amenity for existing and future users. The proposal includes a private garden to the rear serving the ground floor maisonette. The officers consider this to be an acceptable situation.

## IMPACT ON THE PAGHAM HARBOUR SPECIAL PROTECTION AREA:

Local Plan policy ENV DM2 states that all new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The report to Cabinet stated that:

"The access management measures identified are referred to as Strategic Access Management and Monitoring (SAMMs). As these do not include the allocation of specific land, they are not classified as physical infrastructure, and are not included under the definition of infrastructure within Section 216 of the Planning Act 2008, meaning the pooling restrictions as set out under Regulation 123 of the CIL Regulations (2010) as amended, does not apply. It is common practice by many other authorities (for example Elmbridge) that contributions towards SAMMs are gathered through S106 planning obligations. This approach has also been confirmed within Counsel advice sought by the Council. As a contribution is required to make the development acceptable in planning terms, it is therefore in compliance with the tests under Regulation 122 of the CIL Regulations (2010) as amended"

The Council's Cabinet approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The site is in Zone B and it is necessary to apply this requirement. The net increase of one dwelling results in a contribution of £871. This will be secured by a direct payment from the applicant.

## SUMMARY:

This proposal is considered to represent an efficient use of currently under-utilised residential dwelling without compromising the visual amenity of the area or the amenities of existing neighbouring residential occupiers. It is also considered to have a nil parking provision due to the sustainable location. The recommendation to approve is therefore made subject to the following conditions and a direct payment from the applicant to cover the Pagham Harbour mitigation requirements.

## 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

Drawing 830/05 "Location Plan & Proposed Site Plan"; and  
 Drawing 830/01 "Existing Floor Plan".  
 Drawing 830/02 REVC "Proposed Floor Plan".  
 Drawing 830/04 "Existing & proposed Elevations"

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 2011-2031.

- 3 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details (including elevations) submitted to and approved by the Local Planning Authority. Such approved spaces shall thereafter be retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with current

sustainable transport policies and policy T SP1 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.
- 5       INFORMATIVE: The application is subject to a direct payment of £871 in order to contribute to the Pagham Harbour Access Management Mitigation Measures.

**BR/329/18/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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