

PLANNING APPLICATION REPORT

**REF NO:** BR/198/24/PL

**LOCATION:** Ashbury Care Home  
124-128 Aldwick Road  
Bognor Regis  
PO21 2PA

**PROPOSAL:** Two storey extension to provide an additional 6 No. care beds at existing care home (Use Class C2) and other associated works. This application is in CIL Zone 4 (Zero Rated) as other development.

<b>SITE AND SURROUNDINGS</b>
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<b>DESCRIPTION OF APPLICATION</b>	Two first floor additions to the rear of the site which would enable a further 6 bedrooms to a care home.
<b>TOPOGRAPHY</b>	Predominantly flat.
<b>SITE CHARACTERISTICS</b>	The site is occupied by a semi-detached two storey property with front dormer. It has two rear projecting wings which reduce from two storey to single storey to the rear boundary leaving an enclosed central courtyard. The rear of the property adjoins an access road which runs along properties to the rear of Aldwick Road and Richmond Avenue.
<b>CHARACTER OF LOCALITY</b>	The area is mixed in use, featuring predominately residential properties although to the east of the site, there are commercial uses to the ground floor with residential above.

<b>REPRESENTATIONS</b>
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Bognor Regis Town Council - No objection.

Aldwick Parish Council - Objection.

- Overdevelopment.
- Out of keeping with the area.

No representation received from nearby occupiers.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted.

<b>CONSULTATIONS</b>
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**CONSULTATION RESPONSES RECEIVED:**

WSCC Highways (LHA) - No objection. The increase from 29 to 35 beds would not result in significant

intensification of movements.

Environmental Health - No objection.

#### COMMENTS ON CONSULTATION RESPONSES:

Noted.

#### POLICY CONTEXT

Built up area boundary  
Pagham Harbour Zone B  
Article 4

#### DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HDM2	H DM2 Independent living and care homes

#### PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

#### SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

#### 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.

#### 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**

There are no other material considerations to be weighed in the balance with the Development Plan.

#### **BIODIVERSITY NET GAIN**

This application is not liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:

- Development below a de minimis threshold.

#### **CONCLUSIONS**

##### **PRINCIPLE**

The development is in the built-up area boundary in a sustainable location where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies are H DM2, D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide (ADG).

Bognor Regis has a Neighbourhood Plan although none of the policies are relevant to this application.

##### **ALTERATIONS TO CARE HOME**

Policy H DM2 permits new and extended care homes subject to a number of criteria. This includes that the site is within the built up area, is easily accessible, its design can be adapted, the scale is appropriate, amenity space is provided, the location encourages a healthy lifestyle.

The site is within the built up area boundary and complies with (a). The site is within a reasonable walking distance of shops and services on Aldwick Road and complies with (b). The design offers rooms with en-suites and can be adapted for the users of the scheme in compliance with (c). The scale is in keeping with the area in compliance with (d). The scheme does not provide additional amenity space although there is existing amenity area and the site is short walk from the Bognor Esplanade in accordance with part (e). The scheme due to its location, would support the continuation of a healthy lifestyle in compliance with (f).

The proposal complies with policy H DM2 of the Arun Local Plan.

##### **DESIGN AND VISUAL AMENITY**

A first floor extension is proposed to the rear which would enable 6 additional bedrooms to the rear.

The building fronts Aldwick Road at two storeys with a front facing dormer and has two rear projecting two storey wings which reduce to single storey with a small courtyard to the centre of the site. The extensions are proposed above the single storey additions. There will be a small two storey addition forming a lobby to connect the projecting wings to the rear.

The development is not visible from Aldwick Road. There is an access/service road to the rear which terminates at the rear of the care home and the development would be visible from this road although this would not be used by passing traffic and therefore views from the wider area would largely be restricted.

The scale appears appropriate to the site, with all development at first floor level and no additional footprint proposed. The extension would sit just below that of the main ridge of the host property, appearing subservient in nature. The roof will be hipped with a gable end to the north western side. This is in keeping with the existing property which features varying roof forms.

The extension results in additional massing and bulk to the rear, with limited other examples of two storey development extending to the boundary. Whilst it adds bulk, due to the siting with limited views and in the context of the wider site, the extension would not result in harm to the appearance or character of the area.

Part J of the ADG refers to Building Design and requires development to ensure that the scale and massing of development responds to the existing townscape and landscape. New development should generally reflect the scale of existing buildings. The proposal complies with this statement as the design appears appropriate and responds in scale to the existing building.

Due to the siting of the development which is not visible from the wider area, the extension would be appropriate in size and design and would not cause harm to the existing building or the character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan and the ADG.

#### RESIDENTIAL AMENITY

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Arun Design Guide sets out guidance on interface distances between dwellings.

The proposal results in 6 additional bedrooms at first floor level. The first floor additions adjoin the boundary to the rear of the site to the access/service road. Directly to the rear are residential properties serving another care home and flats.

The extensions would run along most of the rear elevation of the property to the rear at 21-23 Richmond Avenue. Whilst it would be highly visible from rear facing windows, with sufficient separation between the sites, it would not result in adverse overbearing or overshadowing.

One window is proposed to the rear north elevation. This serves a bedroom and would provide additional views as a result of the windows proximity to the boundary. There would be direct views over the garden of the care home at 21-23 however the window retains 24m to the rear building line and this would therefore be acceptable and not give rise to adverse overlooking.

To the east elevation, the neighbouring dwelling at No 120 has two rear facing windows. Due to the siting of the extension, it would intersect the window closest to the boundary when looking west at a 45-degree angle. The window serves a bedroom and whilst there would be some impact on its line of sight, it is not significant in which a refusal is justified.

There are two windows proposed to the west elevation. With a number of existing windows to this elevation at first floor, views would be similar to that which are already achieved. One of these windows has been relocated to the far end of the extension to ensure that it would not give rise to significant overlooking to 130 Aldwick Road.

The extension would give rise to additional views although the harm is not significant with views similar to that already achieved from the existing first floor windows and with separation maintained between properties to the rear of the site.

The proposal would not result in significant overlooking, overshadowing or overbearing in accordance with relevant policies and the ADG.

#### **SPACE STANDARDS**

ALP policy D DM2 and the ADG require that new residential development provide sufficient internal living space to ensure a decent standard of amenity for future occupants. National standards do not provide relevant guidance for care homes although the rooms sizes exceed the standard for 1 bed units.

The supporting text to policy D DM2 refers to the ADG which include guidance on external space standards, and the need for applications to have regard to include adequate provision of private external space. With regards to outdoor space, there are no specific requirements for care facilities although there is small courtyard area that will be retained and the property is in close proximity to the sea front.

The proposal complies policy D DM2 of the Plan.

#### **PARKING**

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the WSCC guidance on parking provision.

Arun District Council adopted its own Parking Standards SPD (Jan 2020). There are no specific requirements with regards to the provision that should be required for care home facilities and it should be determined on a case-by-case basis.

No parking spaces are proposed and the existing building does not provide any parking provision.

The proposal may give rise to some additional trips by way of visitors to the care home and may result in an additional staff member as a result of the extra 6 residents. WSCC Highways do not consider the additional rooms would result in an intensification of the site and have no objections. The site is in a sustainable location and with no provision currently, the additional rooms would not result in a demonstrably adverse impact on the highway in compliance with T SP1 of the Arun Local Plan.

#### **PAGHAM HARBOUR**

Pagham Harbour is designated as a Special Protection Area and Ramsar site and ALP Policy ENV DM2 requires any proposals for new residential development within the Pagham harbour buffer zone (0 to 5km) to pay a contribution of £950 per new unit to contribute towards strategic access management measures.

Contributions are not sought for new secure accommodation (such as a residential nursing home) as recreational disturbance to the harbour will not occur. The proposal is not subject to the Pagham Harbour contribution.

#### **BIODIVERSITY**

To comply with Policy ENV DM5 a biodiversity net gain should be demonstrated on site, this can be achieved through the installation of features such as green roofs, bird/bat boxes or the provision of new habitat on site. This is little space to plant on site and therefore subject to a condition to secure details of a bird nesting box to be provided on site, the proposal will comply with ENV DM5 of the Plan.

## SUMMARY

The development is in accordance with relevant development policies and as such 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 positive impact on the protected characteristic of age.

### CIL DETAILS

This application is not CIL liable classed as other development.

### 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:

1. Location Plan - 2.007 Rev D2
2. Proposed Site Plan - 2.009 Rev D1
3. Proposed Elevations - 2.011 Rev D2
4. Proposed Floor Plans - 2.010 Rev D2

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

accordance with D DM1 of the Arun Local Plan.

- 3 The additional rooms shall not be occupied until two bird nesting boxes have been erected on/included in the building. The boxes shall be retained in perpetuity.

Reason: In the interests of biodiversity enhancement as per the requirements of Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 4 The materials and finishes of the external walls and roofs of the buildings hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with D DM1 of the Arun Local Plan.

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

<b>BACKGROUND PAPERS</b>
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[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

