

Recommendation Report for Planning Permission

REF NO: BR/112/20/PL

LOCATION: 14a Canada Grove
Bognor Regis
PO21 1DN

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension.
TREES	None affected by the development.
BOUNDARY TREATMENT	The boundary treatment to the sides and rear of the property consist of brick walling around 1.6m high.
SITE CHARACTERISTICS	Semi-detached two storey dwelling consisting of two flats. 14A is accessed via a gate to the side.
CHARACTER OF LOCALITY	Predominantly residential located immediately adjacent to the town centre with a cinema and railway station at the northern end with a mix of commercial and residential properties at the southern end.

RELEVANT SITE HISTORY

BR/46/17/PL	Retention of single storey rear extension.	ApproveConditionally 01-06-17
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Noted. A similar extension was approved in 2017.

REPRESENTATIONS

No objection.

1 letter of objection from nearby occupier.

- Extension to my flats were kept away from the boundary as not to impact 14a.
- The extension will block all light to only ground floor bedroom window.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in conclusion.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

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 - 2031, West Sussex County Council's Waste and Minerals Plans 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 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.

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.

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 key policies considered are D DM1 and D DM4 of the Arun Local Plan. Bognor Regis has a Neighbourhood plan however none of the policies are relevant to this application.

DESIGN AND VISUAL AMENITY

The proposal is situated to the rear of the property and as such is not visible from the wider area.

The extension part replaces an existing addition although increases its size and at single storey appears subservient to the host dwelling. Materials will also match existing.

Due to the modest size of the extension and its siting to the rear, with no viewpoints from the wider area, it is not deemed to impact the wider area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

There is an extension with a depth of 2.3m. This will increase to around 3.75m with a flat roof height to 2.9m. This retains around 0.2m to the northern boundary and 3.1m to the south.

Due to the siting of the extension, there will be an impact to the ground floor bedroom window to the rear of No.16 to the northern elevation. The extension will intersect a 45 degree angle drawn from the centre of this window and given the location of the extension to the south, there will be a loss of light. However, the existing addition intersects this also. The impact is also to a bedroom window, which whilst habitable is primarily used for sleeping and dressing. The occupier of the flat also has an extension of similar depth in place, with rear facing windows, thus preserving an acceptable standard of living and amenity.

It should be noted the owners of 14/14A could increase the height of the boundary wall to 2m without the need for planning permission and this would block out some light reaching the bedroom window.

Whilst the addition will give rise to some overbearing and loss of light, it is not considered a refusal is justified and as such it accords with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with relevant development plan 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 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, Block and Proposed Floor Plan - Sheet 1 of 3
 - Proposed Elevations - Sheet 2 of 3
 - Proposed Roof Plan - Sheet 3 of 3

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.