

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: BR/160/18/HH

LOCATION: 33 Southdown Road
Bognor Regis
PO21 2JR

PROPOSAL: Demolition of garage & erection of detached garden room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above - detached pitched roof garden building to house studio, potting shed and utility.

RESIDENTIAL DEVELOPMENT N/A
DENSITY (NET)

RELEVANT SITE HISTORY**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council
No objection

CONSULTATION RESPONSES RECEIVED:

No consultations have been carried out.

POLICY CONTEXT

Designation applicable to site:
Within built up area

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QEDM3	QE DM3 Air Pollution
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

Note - To include text on;

The relevant policies are listed above. Of note is policy D DM1 which discusses the aspects and form of design such as character, appearance and impact. It is not considered that there are any BRNDP policies of relevance.

There is no relevant site history.

The site is a semi-detached dwelling with garden to front and rear. The area is mostly residential with a mix of housing types.

The outbuilding is relatively large and situated adjacent to the boundary of the property to the south. However the eaves level adjacent to the neighbour is low and it rises up away from the neighbour. The building is adjacent to an outbuilding on the property to the south so the impact to the garden to the south is limited.

The proposal includes a flue for a stove which would project over the top of the building. Smoke and fumes could arise from this however if a nuisance is caused Environmental Health would have powers to restrict this.

The building is well designed and appropriate for a domestic setting. Windows would face the property to the north but would not cause overlooking. The building would be visible in the street scene through the narrow gap at the side of the house however no harm to the street scene would arise.

It is considered that the outbuilding by reason of its scale and design would not cause demonstrable harm to interests of acknowledged importance and is considered to comply with the relevant development plan policies. It should also be considered that there are permitted development rights under which an outbuilding of a similar nature could be erected which would have a similar impact on neighbours and the street scene.

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 (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 plan:- PO1

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 -31.
- 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.