

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

REF NO: BR/171/12/

LOCATION: 3 Farm Cottages
Shripney Road
Bognor Regis

PROPOSAL: Remove existing window and replace with door

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 100 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Property is on a higher level than the road.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has flint wall approximately 1.5m in height, north side boundary has wall approximately 1.8m in height, south side boundary has trellis + hedging approximately 1.8m in height.
SITE CHARACTERISTICS	Grade II Listed. Two storey terraced property is timber framed with a thatched roof. The property has largely flint and brick walls some of which have been rendered painted white. Casement wooden windows frames painted white with grey painted surrounds. Timber frame exposed at north end of property.
CHARACTER OF LOCALITY	Residential comprising a mixture of semi-detached two storey, terraced and detached properties. Garage to north of site, Friary Arms Public House to south of site.

RELEVANT SITE HISTORY

BR/313/94	Conversion of property into 2 dwellings	Approve Conditionally 08-03-1995
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REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Grade II Listed Building

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)

Built-up Area Boundary

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.

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

No 2 Farm Cottages which is a Grade II Listed building was sub-divided to create two dwellings No 2 and 3 under planning permission BR/313/94. The application seeks to create a separate entrance door for No 3 which will require the removal of the dining room window.

The main entrance door which opens out into a lobby serves both properties No 2 and 3 Farm Cottages and the proposal seeks to create a separate entrance for No 3. The proposed wooden entrance door with six glazing panels on the upper level will be the same size and design as the existing entrance door.

It is considered that the creation of a new entrance door would not harm the residential amenities of neighbouring properties, nor would it be out of keeping with the historical appearance of the Listed Building or surrounding residential area.

The application is recommended for approval, subject to 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 (right to respect for 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 a neutral impact has 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: Site 1:1250/Block 1:200 & 1:500, Floor 1:50, Elevations 1:50 received on 31st July 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall take place unless and until details of the proposed door and

surrounding masonry has been submitted to and approved by the Local Planning Authority and the new opening/door shall be constructed in accordance with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

4 **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: GEN2, GEN7, DEV19

THE 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.