

Recommendation Report for Planning Permission

REF NO: BR/186/20/PL

LOCATION: Noelbury Court
Flat 3
5 Stocker Road
Bognor Regis

PROPOSAL: Minor alteration to rear elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to install a door to the rear elevation.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site has fencing around 1.7m running along the side and rear boundary.
SITE CHARACTERISTICS	The site is occupied by a detached two storey dwelling which forms 8 flats.
CHARACTER OF LOCALITY	The area is predominately residential.
None.	

REPRESENTATIONS

Bognor Regis Town Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

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.

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

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Bognor Regis has a made 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 is not visible from the wider area. The alteration will involve the addition of a door to the ground floor rear southern elevation, next to an existing window.

Due to the minor alteration and with no viewpoints from the wider area, the development is not considered to result in harm upon the wider area and street scene and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The door is located to the ground floor and with boundary treatment in place, the addition of a door is not

considered to give rise to adverse overlooking.

Due to the siting of the door, it is not considered to give rise to adverse impacts on neighbouring amenity by way of overbearing, overshadowing or overlooking in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed 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
- Proposed Plans - 1b

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.