

Recommendation Report for Planning Permission

REF NO: BR/221/21/PL

LOCATION: Bognor Rugby Football Club
Hampshire Avenue
Bognor Regis
PO21 5JH

PROPOSAL: Variation of condition following grant of BR/93/18/PL relating to Condition No 2 - approved plans.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seek to vary the plans condition approved under BR/93/18/PL.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the development.
BOUNDARY TREATMENT	The site is surrounded by the rear gardens of residential properties with a mixture of close boarded fencing and tree screening on the southern boundary
SITE CHARACTERISTICS	The main entrance to the site is from Hampshire Avenue, with pedestrian access from Chichester Road between properties 105 and 109. The brick built club house is in the south western corner of the site close to the boundary and features a tiled pitched roof. The site features a parking area, pitches, floodlights and a storage garage sited on the northern boundary behind the houses on Chichester Road.
CHARACTER OF LOCALITY	The area is predominately residential.

RELEVANT SITE HISTORY

BR/93/18/PL	Single storey pitch roof side extension, flat roof rear extension with replacement of existing garage with 2 No. metal storage containers on a concrete slab with access ramps.	ApproveConditionally 15-11-18
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Noted.

REPRESENTATIONS

Bognor Regis Town Council - 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
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[Bognor Regis Neighbourhood Plan 2015 Policy 9](#) Local Green Space Designations

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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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.

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

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site lies in the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Bognor Regis has a made Neighbourhood Plan with policy 9 of relevance.

This application seeks permission to amend the materials that were approved under BR/93/18/PL.

DESIGN AND VISUAL AMENITY

The proposed seeks to amend the plans conditions. The change proposed is minor with the materials to part of the extension altering from brick to cladding.

There is a minor extension to the front elevation. The approved materials were brick however Cedral cementitious fibreboard (Colour Ref: Burnt Red C61) is proposed to the external elevations. With the building set back from the highway, the proposed cladding is not considered to appear prominent within the street scene or out of character. The colour is also in keeping with the remainder the building which helps it appear well integrated.

The alteration of the material is not considered to result in harm upon the appearance of the building or wider area and accord with D DM1 and D DM4 of the Arun Local Plan, the Design Guide and the Bognor Neighbourhood Plan.

RESIDENTIAL AMENITY

Due to the minor nature of the change proposed, the alteration will not result in adverse harm upon neighbouring amenity and comply with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

It is recommended permission be granted in accordance 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 approved shall be carried out in accordance with the following approved plans
 - Location Plan
 - Proposed Elevations - HOPA-001-P-*
 - Email dated 25/11 confirming colour of cladding.
 - 19 Revision A, 20 Revision A, 29 Revision A, 21, 22, 23, 24, 25, 27 and 28.

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.

- 2 INFORMATIVE: This permission relates to the variation of condition 2 of planning permission BR/93/18/PL. The applicant is advised and reminded that the planning conditions attached to the original planning permission number BR/93/18/PL remain in force and must be complied with.
- 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.