

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

REF NO: BR/25/20/HH

LOCATION: 51 Mead Lane
Bognor Regis
PO22 8AW

PROPOSAL: Balcony over bay window. This application may affect the setting of a listed building & affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above. Small balcony over bay window on west elevation facing car park.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

No comment due to Covid-19.

No representation from nearby occupiers.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

2km Buffer for Site of Special Scientific Interest.

Pagham Harbour Zone B

Within the Built Up Area Boundary

Within the Conservation Area

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
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1, D DM4 and HERDM3 of the Arun Local Plan. Bognor Regis has a made Neighbourhood Plan with policy 1 and 2 of relevance to the application.

DESIGN AND VISUAL AMENITY

The balcony will front the private car park and as such is highly visible from the wider area.

The building has a bay window that fronts on to a car park and the balcony will sit atop it. The balcony is well integrated with the building, similar in design to that of the bay window below, due to its depth and width it is not considered to appear overly dominant.

Whilst the creation of a balcony will alter the appearance of the property, the addition is not considered to harm the appearance of the elevation or the building as a whole . The balcony is not considered to have a demonstrable impact on the character of the area.

The development is not considered to adversely impact the spatial pattern or character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

HERITAGE ASSETS

The proposal falls within the Conservation Area.

Para 190 of the NPPF requires the LPA to consider the significance of the proposal upon the heritage assets. The development can be described as having no harm to the setting of the Conservation Area..

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation Area.

RESIDENTIAL AMENITY

Due to the scale and type of the development it is not considered to appear overbearing or overshadowing. The balcony replaces a window and with views facing south over the street scene and car park it is not considered to result in adverse overlooking.

The proposal is considered to accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development 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.

CIL DETAILS

This application is not CIL Liable. CIL charging Zone 4

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:
 - Block Plan
 - Location Plan
 - Proposed Elevations
 - Proposed Floor Plans
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.