

Recommendation Report for Planning Permission

REF NO: BR/274/19/PL

LOCATION: Flat 2 Oakhurst
22-24 Upper Bognor Road
Bognor Regis
PO21 1FW

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension.
BOUNDARY TREATMENT	The property
SITE CHARACTERISTICS	The site is occupied by a semi detached two storey building which forms self contained flats.
CHARACTER OF LOCALITY	The area is predominately residential. The surrounding properties are mixed in appearance.

RELEVANT SITE HISTORY

BR/1/07/	Change of Use from residential nursing home to a house in multiple occupation	Withdrawn 19-02-07
BR/105/07/	Alterations and change of use to 10 self contained flats.	ApproveConditionally 25-07-07
BR/322/08/	Alterations to approved plan BR/105/07 for conversion to 10 no flats.	ApproveConditionally 28-01-09
BR/230/19/HH	Replacement of tile hanging with black PVCu cladding to 2 No. bay windows. This application may affect the setting of listed buildings & may affect the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area.	ApproveConditionally 02-10-19

Relevant site history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection

No representation received from nearby occupiers.

Conservation Area Advisory Committee provided no objection but materials and finished should be agreed.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

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)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The proposed development is situated within 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 1 of relevant to the determination of the application.

DESIGN AND VISUAL AMENITY

The extension is situated to the rear of the property and as such is not visible from the street scene. The extension is modest in size and appears subservient to the host property. Materials will match the host dwelling which ensures it is well integrated and sympathetic in appearance.

The south west corner of the property has a single storey lean to and this will be a similar addition except it will have a flat roof.

Due to the siting of the extension, it is not considered to have a significantly detrimental impact upon the wider locality of the area in itself, as there are unlikely be any viewpoints from the street scene.

RESIDENTIAL AMENITY

The extension will be to the north west of the property. It will have a depth of 3.6m and a width of 2.85m. It does not extend beyond the existing side or rear elevation of the host dwelling. It will have a height of

3.25m, with a flat roof.

The neighbouring property is set slightly behind the host dwelling and as a result is not considered to appear adversely overbearing or overshadowing. There is no window to the side elevation and with a door to the rear at single storey, it is also not deemed to give rise to adverse overlooking.

Due to the modest size and its siting, it is not considered to give rise to adverse impacts upon amenity and accord with DDM1 and DDM4 of the Arun Local Plan.

BUILDING OF CHARACTER

The Conservation Area boundary runs through the middle of the property which is identified as 22-24 Oakhurst, as a result the host dwelling (Flat 2) falls just outside of the Conservation Area. The building is however locally listed and therefore considered a structure of character. The extension is not visible from the street scene and with the use of matching materials is not deemed to harm the significance of the asset and preserve its appearance in accordance with HERDM2 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the 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.

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, Block Elevation and Flood Plans - 5719:1

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.