

Recommendation Report for Planning Permission

REF NO: BR/275/19/PL

LOCATION: Newman House
21 Sturges Road
Bognor Regis
PO21 2AH

PROPOSAL: Garage/store block

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a garage/store block to the rear of existing flats.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to the front for parking access to the rear.
SITE CHARACTERISTICS	The site is occupied by a block of 12 flats.
CHARACTER OF LOCALITY	The area is predominately residential with properties of varied style and design.

Demolition of 2No dwellings and construction of 12 flats were approved in 2010.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Regis Town Council

Objection

- It was not possible to determine how the access to the garage/block would be achieved, with concerns about possible effect the access might have on the highway.

No representation received from nearby occupiers.

Following a revised plan and re-advertisement additional comments were received

No objection

- Members noted the design had been reduced and the location plan clearly shows how access would be achieved.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)

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)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the residential amenities of the adjoining properties.

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

As stated within SDSP2, the key policies considered are DDM1 of the Arun Local Plan.

Bognor Regis has a made Neighbourhood Plan however none of the policies are relevant to the determination of the application.

DESIGN AND VISUAL AMENITY

The development seeks to construct an outbuilding to the rear of a block of 12No. flats to serve as a garage and storage block. Due to siting to the rear, it is not likely to be visible from the street scene.

The proposal will consist of a 3 bay garage with a hipped roof. It will be constructed of brick and cladding exterior with a tile roof.

Given the location it is not deemed to adversely impact upon the spatial pattern or character of the street with limited viewpoints available.

RESIDENTIAL AMENITY

The garage block will form a 3 bay garage. It will have a width of 10m, with a depth of 6.5m. The roof will be hipped with a height at 4.6m and eaves to 2.7m.

To the boundary at the north, there is a single storey building which forms a residential unit. The garage block will run along part of the elevation with 1.75m to approximately 3.8m retained to the boundary.

There are a number of windows sited to the property at the north 'The Cottage' and the garage would extend across 3 of these. Whilst the garage, due to the height, would give rise to some overbearing impact, the development has been reduced in scale from that previously proposed, with the roof design sloping away from the neighbouring property and with the separation increasing as it extends along the boundary, it is not considered impacts would be significant in which a refusal is justified.

The boundary between the properties is low in height, however this could be increased to 2m which would better screen against the development.

Whilst the development is likely to be visible from the rear of the properties at No.8 & 10 Burnham Avenue, with the roof hipped, this slopes away from neighbouring properties and reduces any adverse impact.

Whilst the addition is large, due to the design and siting, it is not considered to give rise to harm in which a refusal is justified and as such accords with D DM1 of the Arun Local Plan.

PARKING

To the rear of the flats, there is currently allocated parking and amenity space. The garage is sited within an area allocated to the parking of around 3-4 spaces. The garage will provide 3 spaces, with the size of the spaces proposed according with the parking standards of 6mx3m. It is not considered the garage will reduce the number of parking spaces available and as such is not considered to give rise to adverse highway or parking issues as a result.

SUMMARY

The proposed development is deemed to conflict with relevant development plan policies and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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
 - Location/Block Plan (received January 2020)
 - Proposed Plans (received January 2020)

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 The garage hereby permitted shall be used solely for the purposes of parking for Newham House, 21 Sturges Road.

Reasons: To ensure there is sufficient parking provision in accordance with policy TSP1 and DDM1 of the Arun Local Plan.

- 4 **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.