

Recommendation Report for Planning Permission

REF NO: BR/305/20/PL

LOCATION: Flat 2
42 Sudley Road
Bognor Regis
PO21 1ES

PROPOSAL: Ground floor rear extension. This site is in CIL Zone 4 (Zero Rated) as extensions under 100 sqm.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a ground floor extension to the rear of the site.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	The site is occupied by a terraced three storey dwelling which serves flats.
CHARACTER OF LOCALITY	The area is predominately residential although in close proximity to Bognor High Street.

RELEVANT SITE HISTORY

BR/24/20/PD	Notification for Prior Approval under Class O for change of use from an office (Class B1) to a dwelling (Class C3) - Conversion of existing office building into 5 x No. self contained units	No Object'n + Conds 23-03-20
BR/288/20/PL	First floor rear extension. This site is in CIL Zone 4 (Zero Rated) as extensions under 100sqm.	ApproveConditionally 15-01-21

Prior notification was approved for the conversion of the building from offices to 5 x self contained flats. An application was also approved for a first floor rear extension.

REPRESENTATIONS

Bognor Town Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments 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
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

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 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 site. There is no development currently to the rear of the site, so there are some views available from this elevation at 'Lyon Road'.

The addition is modest in size infilling part of the ground floor rear elevation, located in between first floor extensions and as such appears subservient and well integrated.

Due to the modest size of the development and with limited viewpoints from the street scene, it is deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension will have a depth and width of 1.45m, meeting in line with the elevation to the east. It will have a height of 2.8m with a flat roof.

Due to its siting, infilling part of the rear, it is not visible from the neighbouring side elevations and not considered to result in harm upon amenity.

The addition will serve a bathroom, although with no windows, it will not provide any views.

Due to the modest size and location, it is not considered to result in harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies subject to accordance with 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
 - Location and Block Plan - Rev C
 - Proposed Elevations
 - Proposed Ground Floor Plan

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.