

Recommendation Report for Planning Permission

REF NO: BR/316/18/PL

LOCATION: Abbots Lawn  
Sylvan Way  
Bognor Regis  
PO21 2RS

PROPOSAL: Single storey extension to west elevation.

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| <b>SITE AND SURROUNDINGS</b> |
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|                            |                                                                                         |
|----------------------------|-----------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | Single storey pitched roof extension to front projection of building facing Sylvan Way. |
| TOPOGRAPHY                 | Predominantly flat.                                                                     |
| TREES                      | None affected by the proposed development.                                              |
| BOUNDARY TREATMENT         | Wall and fence to front.                                                                |
| SITE CHARACTERISTICS       | Detached care home.                                                                     |
| CHARACTER OF LOCALITY      | Mixed character residential area.                                                       |

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| <b>RELEVANT SITE HISTORY</b> |
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|              |                                                                                                            |                                  |
|--------------|------------------------------------------------------------------------------------------------------------|----------------------------------|
| BR/314/18/PL | Front 1st floor extension over residents lounge to provide 4 No. bedrooms & link extension.                |                                  |
| BR/134/17/PL | Rear 1st floor extension & new 2nd floor under new tiled roof to provide 10No. bedrooms & lounge area      | ApproveConditionally<br>31-08-17 |
| BR/63/14/    | Rear 1st floor extension and new 2nd floor under new tiled roof to provide 10 No bedrooms and lounge areas | ApproveConditionally<br>09-07-14 |
| BR/171/10/   | Single storey extension                                                                                    | ApproveConditionally<br>19-08-10 |

Planning history noted.

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| <b>REPRESENTATIONS</b> |
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REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection

3 letters of objection

Traffic/parking

Noise pollution

Overlooking from existing windows

Previous extensions not built.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

The proposal is for a small office and is not considered to result in a detrimental increase in traffic. The form indicates no parking spaces are to be lost.

Noise pollution would not materially increase from the provision of a small office.

The position regarding existing windows is not changing and the one external window is at ground floor level.

There are a number of previous applications (see site history).

#### CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

#### CONSULTATION RESPONSES RECEIVED:

Engineers

Drainage to be in accordance with building Regulations

#### COMMENTS ON CONSULTATION RESPONSES:

Noted

#### POLICY CONTEXT

Designation applicable to site:

Within built up area

#### DEVELOPMENT PLAN POLICES

|       |                                                         |
|-------|---------------------------------------------------------|
| 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                                            |
| HDM2  | H DM2 Independent living and care homes                 |
| QEDM1 | QE DM1 Noise Pollution                                  |
| TSP1  | T SP1 Transport and Development                         |

#### PLANNING POLICY 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.

There are no relevant policies in the Bognor Regis Neighbourhood Plan.

## 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 the extension by reason of its size and position would not cause demonstrable harm to the character or appearance of the area or the amenities of the neighbouring 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

The application site is located within the built up area boundary, where the principle of development is generally acceptable.

Policy H DM2 allows for extensions to care homes subject to certain criteria.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the

character of the host dwelling, its neighbours and the locality.

policy TSP1 discusses transport issues - the application indicates no parking is to be lost.

The extension is an addition to a front projecting element and would have only a modest impact on the street scene due to its position. It is also modest and low level and set a distance from the nearest neighbour where it would not harm their amenities. The parking situation is unchanged and would not give rise to significant additional traffic.

The proposal complies with the relevant policies of the development plan.

It is therefore recommended that the application be approved subject to conditions.

### **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 positive impact on the protected characteristics (age).

### **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:-

1 of 2

2 of 2

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 materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM4 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.