

Recommendation Report for Planning Permission

REF NO: BR/326/19/PL

LOCATION: Flat 68A
Aldwick Road
Bognor Regis
PO21 2PE

PROPOSAL: New entrance to flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a new entrance to the flats which will be accessed from the rear of the property.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The property is situated within a two storey terrace block which features shops to the front elevation facing Aldwick Road and flats to the rear at Oxford Road.
SITE CHARACTERISTICS	The site is occupied by a two storey building with retail premises to the ground floor and a flat to the first floor.
CHARACTER OF LOCALITY	The area is mixed commercial properties to the ground and flats above.
None	

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council
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

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

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.

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

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 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 application seeks to construct a new entrance to the first floor flat which will be accessed from the rear of the property. This will be visible from the street scene however the road is a dead end road.

There is an existing ground floor garage which is used for parking with a first floor behind which forms a flat to the rear of the shops on Aldwick Road. The proposal seeks to enter through the garage doors where a staircase will be constructed. This will exit through the roof of the ground floor addition whereby a new entrance door will be constructed to the rear of the first floor, allowing access.

The stairs will exit the ground floor addition around 3.6m back from the front boundary and will be around 1m in height above the single storey addition. The stairs will be visible with a depth of around 2.45m.

There is an example of first floor access along Oxford Road with a staircase to the neighbouring property however this is set back further and behind a garage and therefore views are restricted. With much of the structure retained within the existing garage, it is not considered to appear overly dominant or out of character with the neighbouring properties which consists of mixed style at both single and two storey.

Whilst there are limited examples, it is not considered the addition of stairs would result in an adverse appearance of spatial pattern of the area which is already mixed and as such accords with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The stairs are situated to the northern elevation and are accessed internally via the garage and then project outwards via the roof where a door will be constructed to the first floor for access.

The access door will serve a hallway and whilst it is at first floor level with other examples of first floor windows to this elevation, it is not considered to result in adverse overlooking upon the properties on Oxford Street facing south. With neighbouring buildings set further back than the proposed stairs or at single storey in height, it is not considered to result in an overbearing impact.

As a result of the design and siting, the development proposed is not considered to result in adverse harm upon neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

PARKING

Part of the existing garage will form a new entrance for the development. This removes some of the available space within, however there is still sufficient space retained to park a car and the alteration is not considered to result in adverse impact upon the area in terms of highway or parking issues.

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
- Block Plan, Proposed Floor Plan and Elevations - 2A

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.