

Recommendation Report for Planning Permission

REF NO: BR/329/17/PL

LOCATION: 17 Lennox Street
Bognor Regis
PO21 1NA

PROPOSAL: Single storey rear extension to ground floor apartment.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The extension will extend back from the rear wall by 6.4m but will also partially infill the gap created by the existing rear outrigger projection. The extension will have a flat roof 3m high but sloping down to a height of 2.3m to the boundary with 19. The extension has two windows on the very rear and two roof lights. As a result of the extension, it is necessary to extend the existing fire escape (from the upper flats) along the flat roof and down at the end into a separate bin storage area. Each of the flats will have its own small private bin storage area.
SITE AREA	Approx 156sqm
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The rear open area is currently enclosed with a building to no. 15, a 2m high wall to the rear passageway and a part 2m wall/part building to no. 19.
SITE CHARACTERISTICS	17 Lennox Street is a 3 storey mid terraced building in cream render. It currently comprises of 3 existing flatbed dwellings and there is an existing fire escape access to the second floor at the rear.
CHARACTER OF LOCALITY	Part of a terrace of 4 residential properties set in a mixed commercial/residential use street with a car showroom opposite and a separate motor repair garage to the rear. There is a pay & display on-street parking and some pay & display public car parks nearby.

RELEVANT SITE HISTORY

BR/309/17/NMA See Application Form

BR/261/17/NMA	Application for a non- material amendment following the grant of BR/20/16/PL for a new door to form a link	Approve 03-11-17
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between the two ground floor flats.

BR/20/16/PL

Rear extension to create 1 No. dwelling.

App Cond with S106
07-06-16

BR/20/16/PL - Granted planning permission for a rear extension of the same dimensions as proposed here however the proposal was to create an additional flat rather than extend the existing ground floor flat as here proposed.

BR/309/17/NMA - A non material amendment to alter the ground floor flat granted under BR/20/16/PL to become an extension of the existing flat was refused leading to the current application.

BR/261/17/NMA - A non material amendment application for the linking of the existing and newly permitted flat granted at BR/20/16/PL was permitted.

BR/158/13/ - Conversion of ground floor restaurant and an extension of the building to create two ground floor apartments.

This application created a ground floor flat covering the same footprint as that proposed in this application at the neighbouring identical terraced property.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Environmental Health

CONSULTATION RESPONSES RECEIVED:

ADC Drainage - No comment

Coastal Engineer - No objection subject to condition.

Southern Water - No objection subject to informative

Environmental Health - No objection subject to informative

COMMENTS ON CONSULTATION RESPONSES:

Noted

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

BLDGS SPEC CHAR

DEVELOPMENT PLAN POLICESArun District Local Plan (2003):

GEN12	Parking in New Development
GEN2	Built-up Area Boundary
DEV19	Extensions to existing residential buildings
GEN22	Buildings or Structures of Character
GEN32	Noise Pollution
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
ECC SP1	Adapting to Climate Change
HER DM2	Locally Listed Buildings or Structures of Character
HER SP1	The Historic Environment
QE DM1	Noise Pollution
SD SP2	Built -Up Area Boundary
T SP1	Transport and Development

Bognor Regis Neighbourhood Plan 2015 Policy 1

Delivery of the Vision

Bognor Regis Neighbourhood Plan 2015 Policy 3

Old Town Restaurant and Cultural Quarter

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication

Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policy BR1 of the Bognor Regis Neighbourhood Plan is relevant to this application

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an 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 site lies within the built-up area boundary where the principle of additional residential development is considered to be acceptable providing that the scheme complies with normal development control criteria such as visual amenity, residential amenity, drainage and highway safety.

A previous planning permission for a building of the same dimensions was approved in 2016 albeit as a

separate flat rather than as an extension to the existing flat as here proposed.

It is noted that the site is included within the Bognor Neighbourhood Plan Policy 3 "Old Town Restaurant and Cultural Quarter" designation. This policy encourages new Class A3, A4 & D2 uses and provides protection to existing restaurant & cafe uses. However, it would not be appropriate to have such a use as an extension to residential premises and hence it is not considered that the proposal conflicts with this policy.

CHARACTER, DESIGN & RESIDENTIAL AMENITY:

It is noted that 17 Lennox Street is designated as a Building of Character. Therefore, Local Plan policy GEN22 and policy BR1 of the Bognor Regis Neighbourhood Plan are relevant:

The proposed extension will not result in the loss of any part of the existing building and the extension will only be visible from the rear (and then due to the position of neighbouring buildings & boundary walls), only from the rear passageway. It is therefore not considered that the rear extension will be harmful to the character of this building. It is also noted that no. 19 is also a Building of Character and has had a similar extension approved to its rear.

It is considered that the extension will be visually integrated with and also subservient to the existing building. Furthermore, the extension being single storey and located behind a three storey building will not have an adverse overshadowing, overlooking or overbearing impact to any adjoining property. Neighbouring ground floor windows are all currently screened out by the existing boundary treatments. The proposed extension will not compromise the established spatial character of the street.

The proposed replacement fire escape will be visible from a wider area but then only from Belmont Street to the North. It will be longer and have a larger part at first floor level than the existing but it is not considered that fire escape is out of character with surrounding development or that it will result in any harmful overlooking of neighbouring windows.

The proposal is therefore considered to comply with Policies GEN 7, DEV 19 & GEN 22 of the Arun District Local Plan and policy BR1 of the Bognor Regis Neighbourhood Plan

PARKING PROVISION & SUSTAINABILITY OF LOCATION:

The site is located within a town centre location with easy access to public transport. Whilst there is no parking existing or proposed for the building, given the suitability of the location and proximity to essential services, the lack of parking provision is not considered to be a concern.

SUMMARY:

In the absence of any harm to visual or neighbouring amenity, together with the living conditions of future residents being acceptable, the proposed scheme is considered to be acceptable and accordingly the application is recommended for approval subject to the conditions set out below.

HUMAN RIGHTS ACT

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;

Dwg.no. 1315/PO2 Rev E - Proposed Floor Plans and Elevations dated 11.11.15

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DEV 19 and GEN 7 of the Arun District Local Plan.
- 3 Suitable flood risk measures shall be provided and maintained to all external doors and air bricks in perpetuity. .

Reason : To ensure that the proposed development is satisfactorily protected against flood risk in accordance with policies GEN7 and GEN10 of the Arun District Council Local Plan.
- 4 INFORMATIVE: Flood proofing of the proposed development shall be incorporated, where necessary, in accordance with flood resilience and resistance techniques to be included in accordance with 'Preparing for floods' (ODPM 2003)
- 5 INFORMATIVE:
Fire Safety
- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document - "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"

Room Sizes

-Room sizes should meet the minimum standards for houses in multiple occupation if the flats are intended to be rented.

General

- The development must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards;

- 6 INFORMATIVE: "A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk". The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
- 7 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.