PLANNING APPLICATION REPORT

REF NO: **BR/359/10/**

LOCATION: 14 Highfield Road
Bognor Regis

PROPOSAL: Rear first floor external fire escape stair & landing together with replacement of kitchen window with plastics escape door & infil top light window

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The fire escape and landing measures approximately 3m in width, rear maximum projection of 3.8m and 3.9m (maximum) in height.
SITE AREA	Approximately 196 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Rear has wall of garages to site in Neville Road, north side boundary has dwarf brick wall + close boarded fencing approximately 1.8m in height, south side boundary has wall approximately 1.5m in height.
SITE CHARACTERISTICS	End of terrace two storey property currently divided into two flats. The property has brown brickwork on side and rear, red brickwork on front elevation, white window frames with a red tiled roof.
CHARACTER OF LOCALITY	Residential comprising sem-detached and terraced properties of similar style and design.

RELEVANT SITE HISTORY

BR/177/88	Conversion of first floor flat into two separate flats.	Refused 03-05-1988
BR/198/85	Proposed change of use from house to two self contained flats	Approve Cond 03-04-1985

REPRESENTATIONS

Representations received:
Bognor Regis Town Council
No Objection

A quorum was not present at the Planning & Licensing Committee meeting scheduled to be held Tuesday 21st December 2010. In accordance with Standing Orders and the Procedures of the Council, the Councillors recommended that the Acting Town Clerk make representation to the District Council in respect of Planning Applications on List 49 and 50.

The Acting Town Clerk has considered the views of those Councillors who were available to express their views and have inspected the plans and applications. Under the powers delegated to the Acting Town Clerk (Council Minute 91 of 3rd September 1990) she agrees that the recommendation below shall be the recommendation of Bognor Regis Town Council.

1 Letter of Objection
The wooden staircase as built overlooks gardens.
It cuts out the light into the kitchen on the ground floor flat.
Could not the staircase be moved to the side elevation.

Comments on Representations received:

Comments noted
See conclusions section regarding residential amenity.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
Public Sewer On Site

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 conflict with relevant Development Plan policies in that it would

have a materially adverse effect on the residential amenities of the neighbouring properties by way of overlooking and loss of privacy.

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 end of terrace two storey property is currently divided into two flats which was approved under planning permission BR/198/85. The retrospective application is to retain the external wooden fire escape that has been erected on the rear of the property which serves the first floor flat as the existing tenants are concerned regarding means of escape in the event of fire and would like an alternative means of escape.

The proposed fire escape with landing is accessed from the kitchen and the landing area consists of decking with a balustrade. The landing area is approximately 3m in width, depth of 0.8m and the staircase has a rear projection of 3.8m with a height of 3.9m from ground floor level. The existing window which serves the kitchen is to be replaced by a double glazed door.

The landing area is sited above the kitchen area of the ground floor flat and the neighbouring property No 16 has a bedroom window at first floor level adjacent to the staircase. It is considered that the position of the staircase adjacent to the boundary with No 16 and rear projection would create unacceptable loss of amenity by way of overlooking and loss of privacy to this property and neighbouring gardens. The landing area at first floor level would create some overshadowing to the kitchen area of the ground floor flat below although this is not considered to be significant enough to object to the application on loss of light grounds. If the application were to be approved it would be difficult to control the use of the staircase for emergency purposes only.

It is therefore recommended to refuse the application.

RECOMMENDATION

REFUSE

1 The fire escape and landing by reason of its siting and rear projection result in unacceptable overlooking and loss of privacy to neighbouring property at 16 Highfield Road and thereby constitute an unneighbourly form of development in conflict with Policy GEN7 of the Arun District Local Plan.