

Recommendation Report for Planning Permission

**REF NO:** BR/5/20/PL

**LOCATION:** 114 Victoria Drive  
Bognor Regis  
PO21 2EJ

**PROPOSAL:** Reduce size of existing flat roof rear extension, new lantern light, changes to fenestration & extension of boundary wall on north east elevation.

**SITE AND SURROUNDINGS**

|                            |                                                                                                                                                                     |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | Demolish part of the rear extension. There will be new fenestration, a roof lantern and internal alterations. The boundary wall to the north east will be extended. |
| BOUNDARY TREATMENT         | A brick wall and fence forms the boundary to the north east. The boundary is open to front to allow for vehicular parking.                                          |
| SITE CHARACTERISTICS       | Detached three storey property finished with red brick to the lower level with painted render.                                                                      |
| CHARACTER OF LOCALITY      | Predominately residential although a veterinary hospital is to the north east.                                                                                      |

**RELEVANT SITE HISTORY**

|               |                                                                                                                                     |                                  |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| BR/164/13/    | Existing pitched roof replaced with new flat roof and enlargement of existing 2nd floor bedroom.                                    | ApproveConditionally<br>19-09-13 |
| BR/340/03/    | Change of use from registered care home to student accommodation incorporating two storey extension of kitchen and bedroom ensuite. | ApproveConditionally<br>14-01-04 |
| BR/192/19/CLE | Application for a Lawful Development Certificate for an Existing Use - use of property as a house in multiple occupation (HMO)      | Approve<br>03-09-19              |

A CLE was recently approved for use of the property as a HMO.

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

#### Objection

- Unclear why the bedrooms would be relocated.
- Proposed reconfiguration results in loss of 5 en-suites and 2 WC's.
- Unnecessary changes possibly as a precursor for further bedrooms.
- Whilst there is a large amount of off street parking, it is not sufficient for 17 bed HMO.
- Over-development.

No representation received from nearby occupiers.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The reasons why bedrooms would be relocated are not a planning matter. However the kitchen does not accord with HMO regulations and the relocation of bedrooms allows for a bigger kitchen. The changes provide a bathroom for every 2 bedrooms rather than 4 bedrooms per bathroom as it is currently on the ground floor.

#### 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) |
| 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.

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

### DESIGN AND VISUAL AMENITY

The application seeks various alterations to the property. This involves works to the rear extension and internal alterations and as a result is unlikely to be visible from the street scene.

The development is minor in nature and decreases the width of the rear extension. The building retains around 0.85m to the north east boundary where the rear addition then steps out slightly from the building to meet with the boundary line with a depth of 5.1m. The proposal reduces the width of the rear addition in such that it will run in line with the dwelling and retain a gap to the boundary. The part to be demolished is small at around 0.85m in width.

Due to the minor change, the alteration is subservient and improves its integration with the building as it no longer protrudes beyond the side elevation.

Following the reduction of the extension, there will be an alteration to the boundary treatment. The boundary is formed by a brick wall approximately 1m high with fencing behind it approximately 1.8m high. This runs alongside the north east elevation where the extension forms the remaining boundary to the rear. Due to its reduction in width the boundary treatment will be extended to run along the full side elevation with a depth of 6.3m. This will match the existing treatment and is largely restricted from view, set back around 20m from the street.

The proposal is modest and with few viewpoints from the street scene is not considered to adversely impact upon the spatial pattern or character of the street scene in accordance with D DM1 and D DM4 of the Arun Local Plan.

### RESIDENTIAL AMENITY

To the north east of the dwelling, the neighbouring property is set further forward and has parking to the rear with driveway access between properties. The extension will move away from the boundary and is not considered to give rise to adverse impacts upon amenity, with the property located sufficient distance

to the north.

There will be a door and window to the north east elevation of the extension to replace two windows. There will be a new door to the south west elevation. The door to the south west overlooks the garden of the building. As a result of the siting, replacement nature and at single storey, the alterations do not adversely impact upon neighbouring amenity. A roof light is proposed to the flat roof and due to the siting above ground floor level does result in overlooking.

The alterations are modest and do not result in harm upon neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

#### INTERNAL ALTERATIONS

There are a number of internal alterations to the property. To the ground floor, 3 bedrooms occupy the rear extension. These will be re-sited and the extension will form a larger kitchen. Currently the 3 rear bedrooms have en-suites and the remaining 5 bedrooms share 1 bathroom. This will alter in such that there will be no en-suite bedrooms and 8 No. bedrooms will share 3 No. bathrooms.

To the first floor, there are currently 2 bedrooms which are en-suites with the remaining 4 bedrooms sharing 1 bathroom. The reconfiguration provides a bathroom for every 2 bedrooms rather than 4 bedrooms sharing 1 bathroom. The alterations enable the kitchen to comply with regulations and provide a better set up for occupants, in terms of facilities available to them.

#### SUMMARY

The development accords 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.

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| <b>RECOMMENDATION</b> |
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**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

- Existing and Proposed Site Plan and Location Plan - PL01
- Proposed Elevations - PL07
- Proposed First and Second Floor Plans - PL06
- Proposed Ground Floor Plan - PL05

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.