

Recommendation Report for Planning Permission

REF NO: BR/70/19/PL

LOCATION: The Maples
45 Victoria Drive
Bognor Regis
PO21 2TQ

PROPOSAL: Replacement of timber fascia's & soffits in PVCu, & replacement of rainwater goods in new PVCu.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace the existing timber fascia's, soffits and rainwater goods.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundary treatment consists of a fencing of approximately 1.8m in height to the rear and sufficient hedging and planting to the north and south elevations.
SITE CHARACTERISTICS	The site comprises of a two storey detached building which forms 17 retirements flats. The site is set back from the road with a separate access road.
CHARACTER OF LOCALITY	The area is predominantly residential consisting of a mixed character with detached and semi detached properties of a varied size and design.

RELEVANT SITE HISTORY

BR/206/18/T	1.5m reduction to top of crown & 1.5m reduction to area of crown overhanging Flat 5 to 1 No. Oak tree	ApproveConditionally 18-10-18
BR/136/18/T	Surgery to various trees	ApproveConditionally 04-09-18
BR/48/17/T	Removal of 2 East facing boughs of Oak Tree & 2m Crown Reduction to 1No. Sycamore.	ApproveConditionally 06-04-17

BR/112/01/T	Surgery to 2 Sycamore trees and 1 Ash tree	ApproveConditionally 07-06-01
BR/28/93/A	2no.flagpoles,2no.freestanding signs and 1no.directional sign, all non-illuminated.	Apprvd/Cond ADV 12-03-93
BR/224/92/A	2 no flagpoles, 2 no non- illuminated freestanding signs and 1 no non-illuminated directional sign	Apprvd/Cond ADV 16-10-92

Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Town Council provided 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

Tree Preservation Order

DEVELOPMENT PLAN POLICES

[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:

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.

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Bognor Town Council has a 'made Neighbourhood Plan however none of the policies are relevant to the determination of this application.

DESIGN AND VISUAL AMENITY

The proposed alterations consist of the replacement of existing timber fascias, soffits and rainwater goods and are therefore sited to the external elevations of the building however due to the siting of the building which is set back from the road the development is not visible from the wider street scene.

The proposal seeks to replace with materials of similar appearance consisting of Rosewood fascia board, uPVC soffit board and matching uPVC rainwater guttering.

The development is modest and with materials to be similar in appearance to that which currently exists it is not considered to result in the building appearing out of character with the area.

As a result of the modest proposal the development is not considered to adversely impact the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed alterations will not result in any unacceptably adverse overlooking, overbearing or overshadowing impacts. The proposed development is considered to accord with policy DDM1 and DDM4 of the Arun Local Plan.

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

- Location Plan
- Block Plan
- Photo - proposed external elevation plan - AD67462-195-02
- Photo - external elevations as proposed materials - AD67462-195-03

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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.