

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: **AW/10/13/**

LOCATION: 1 Aldwick Place
 Bognor Regis

PROPOSAL: Extension to detached garage to form private fitness room and games room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for an extension to flat roof detached double garage to form a private fitness and games room.
SITE AREA	Approximately 584 sq metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Trees to north of application site.
BOUNDARY TREATMENT	1.8 metre high fence and 2 metre hedge to side (west) boundary fronting High Trees. Mature shrubs and trees to north boundary. 1.8 metre high fence to east and none to front.
SITE CHARACTERISTICS	Detached modern, two storey dwelling with pitch, gabled roofline and mono pitch roof tiled roof. Brick construction with covered first floor balcony to front and open sided first floor balcony to rear. Detached flat roof double garage in rear garden, adjacent to north (rear) boundary.
CHARACTER OF LOCALITY	Residential. Modern, open plan residential estate of detached two storey dwellings of identical character and design with distinctive mono pitch roofs. Area of public open space to rear (north) and east.

RELEVANT SITE HISTORY

AW/201/91/T	Lopping of one Horse Chestnut	Approve Conditionally 13-04-1992
AW/149/98/	1st floor extension	Approve Conditionally 06-11-1998
AW/185/98/	Erection of new boundary wall.	Refused 15-01-1999

BR/153/74/T

Lopping of trees

Approve Conditionally

07-03-1974

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection. Members have no objection to the application.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built-up area boundary

Tree Preservation Order

Open plan condition

Permitted development restriction

No public sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)

Built-up Area Boundary

The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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 with relevant Development Plan policies in that it would be an unduly large structure, which is out of scale with the dwelling and out of character with the 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 is located within the built-up area boundary where the principle of new development is acceptable, subject to the impact on visual and residential amenity.

DESIGN AND VISUAL AMENITY

It is proposed to extend and enlarge a detached, flat roof double garage in the rear garden to provide a games/fitness room accommodating the garage. The building would abut the rear (north) boundary and would measure 14.5 metres in length, 5.8-6 metres in width and 5 metres in height to the ridge. The roofline would have part pitch, gabled roof with mono pitch roof on the east side. The eaves height would be 2.3 metres. The building would be constructed in facing brickwork with tile hanging, and would contain accommodation at first floor level, accessed by an internal staircase.

The proposed garage/games room is considered to be large in scale and size, as it would have a footprint of approximately 84 sq metres and would span the entire width of the plot (14.5 metres) with a maximum roof height of 5 metres. It would be part single/part two storey with a large expanse of roofline visible from the streetscene along High Trees. It is considered to represent an overdevelopment of the site with the footprint and scale of the development resembling a detached chalet bungalow, resulting in an undesirable visual intrusion in the streetscene, contrary to the aims of the National Planning Policy Framework, which seeks to ensure that new development responds to local character and refuse development of poor design (paras 58; 64).

RESIDENTIAL AMENITY

There are no neighbouring properties to the west. The building would be located within 1.1 metres of the side boundary adjoining no. 3 to the east. The eaves height of the building is 2.3 metres at this point with the roofline angled away to create a mono pitch roof with a maximum ridge height of 5 metres. Two rooflights are proposed in the side (east) facing roofslope. The pitch of the roofline and location of the rooflights is unlikely to result in direct overlooking or loss of privacy of the neighbouring property's rear garden. However, the proposed outbuilding, by reason of its siting and scale, bulk and mass, is considered to be an unneighbourly and overbearing form of development that would be detrimental to the residential amenity of the neighbouring property.

In relation to no. 1 Shipfield to the rear, at 5 metres in height reducing to 2.3 metres to the eaves, the roofline of the building would be visible from the rear garden of this property. The building would abut the rear boundary. There would be no overlooking or loss of privacy; however, as with no. 3 to the east, the siting and large scale, bulk and mass of the outbuilding is considered to be overbearing and an unneighbourly form of development.

HIGHWAYS AND PARKING

No changes are proposed to the vehicular crossover and adequate off-street parking is retained on the driveway/garage.

SUMMARY

In summary, the proposed extension to the garage to create games/fitness room is considered to

be too large and out of scale with surrounding residential development. It will be visually dominant and harmful to the streetscene. It would be an overbearing, unneighbourly form of development that is harmful to residential amenity, by reason of its siting and scale, form, height and mass. It is therefore recommended that consent is refused on the following grounds:

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 to private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 (Neutral) 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).

RECOMMENDATION

REFUSE

- 1 The proposed extension to detached garage to form private fitness/games room, by reason of its disproportionately large size and scale represents an alien and obtrusive addition to the streetscene that is out of character with and detrimental to the visual amenities of the area, contrary to policy GEN7(ii) of the Arun District Local Plan and paragraph 58 of the National Planning Policy Framework (2012).
- 2 The proposed extension to detached garage to form private fitness/games room, by reason of its close proximity to the boundaries of neighbouring properties to the north and east, and its large scale and size, would be an unneighbourly, overbearing form of development, that would be detrimental to residential amenity, contrary to policy GEN7(iv) of the Arun District Local Plan , and paragraph 17 of the National Planning Policy Framework (2012).
- 3 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The

Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.