

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

REF NO: AW/216/15/HH

LOCATION: 25 St Richards Drive
Bognor Regis

PROPOSAL: New extension forming kitchen, dining room and bedroom to the first floor. Roof extension including bedroom 5 and en-suite - Resubmission of AW/216/15/HH

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Two-storey rear extension to this dwelling across the whole rear of the dwelling (11.1m wide). At ground floor it would be 4m deep, at first floor it would be 3.5m deep. The height at rear elevation eaves level would be the same as the existing dwelling (4.9m) and the roof would slope back towards the dwelling. The sides of the roof would be partially hipped with an eaves level of 6.2m, this would be higher than the main rear eaves. Behind the roof planes, there would be a flat roofed element which would not be generally visible. Velux roof lights are proposed, 3 in the rear roof and 1 in each of the side hips. Both of side elevations include high level windows. At ground floor these would have 1.65m cill levels and at first floor 1.5m cill levels. Matching roof tiles are proposed. Walls are to be plastered and painted brick.

A small front porch is proposed by enclosing existing space adjacent to the garage. Existing railings enclosing the front balcony above the garage are to be replaced with a glazed screen of similar height.

Accommodation would be an extended kitchen and dining room at ground floor. At first floor, 2 additional bedrooms and in the roof area, a 5th bedroom, a games room and a storage area.

SITE AREA

Approximately 0.05 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None of significance affected by the development.

BOUNDARY TREATMENT

The front boundary is open, the front side boundaries are low dwarf walls. 1.8m wooden panel fences between the site and dwellings on either side. rear side boundaries are mainly wooden panel fencing with some planting.

SITE CHARACTERISTICS

Detached dwelling constructed mainly of buff bricks with a brown concrete profiled tile roof. To the front there is a balcony above a garage. The dwelling has windows in its east facing gable at ground floor, first floor and roof level. There are ground and first floor windows in the west gable also. Small rear conservatory. Integral single garage and a driveway to front with the remainder of the front laid to gravel. There is a 13.7m frontage capable of accommodating at least 5 cars, plus the garage.

CHARACTER OF LOCALITY

Predominantly residential with mixed house types and materials.

RELEVANT SITE HISTORY

AW/57/15/HH	Two storey rear extension & roof extension.	Withdrawn 06-05-2015
BR/144/52/A/E	Detached house	Approve 30-05-1959

Application (AW/57/15/HH) was withdrawn and was for a 5.1m deep extension which was considered to be unacceptable.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Objection:

Members strongly objected to the application on the grounds that the proposed extension would not sympathetically relate to and would not be visually integrated with the existing building in siting, design, form, scale and materials; because the proposed extension would not be visually subservient to the main building and because the proposed extension would have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Therefore, Members agreed that the application is in direct conflict with Policy Dev 19 of the Arun District Local Plan (i); (ii) and (iii) and with the Parish Design Statement development criteria Area 9p 54.

4 objections (2 from occupiers of adjoining dwellings to west and east):

- Overbearing effect on neighbouring properties due to its significant increase in size.
- Windows on extended east elevation, and new roof extension, will allow overlooking into adjoining dwellings and rear gardens causing loss of privacy.
- Extension will cause adverse overshadowing as it extends beyond the rear of adjoining dwellings and during the day, adjoining dwellings would get less natural light.
- The dwelling and roof configuration will not be in keeping with the local area, especially the cul-de-sac.

The applicant has responded to the objections as follows:-

From 27 St Richards Drive the objections are identical the response is as follows:

1/ Overbearing effect

Our property is going out 3.5 metres on the first floor, 4 metres on the ground floor. Excluding our garage, the footprint of our house will be more or less identical to 27 St Richards Drive, which has been extended in the past, both to the front and the rear. With our proposed extension the house will look the same from the front. Other properties have a footprint of similar size which can be seen on the plan .

2/ Windows will allow overlooking.

We have full view of neighbouring gardens from our top bedroom rear windows, as they do of ours from their top windows, this will not be changed in with the extension. The windows in the east elevation are high, as they are presently, so overlooking will be not possible. Windows in the roof, will be of the velux, so overlooking is not possible.

3/ Adverse overshadowing.

Upper floor extension will extend by 1 past the back wall of 27 St Richards Drive. Due to where the sun sets the small amount will make no difference to light into their property at any time of the day.

From Aldwick Parish Council

Our proposed plans are to revise and renew windows, doors, roof tiles and guttering (all of which need replacing and modernising due to age), along with this we plan to render the whole house, including the extension, so it will visually integrate perfectly as a whole. We have observed in our surrounding area, that all properties are different in look and size to each other. The front, width and roof height of our property remain the same in size, so it cannot have an overbearing effect on neighbouring properties, and the materials we have chosen are being used elsewhere in the surrounding area.

From 23 St Richards Drive:

1/ The extension would be over-bearing and dominating particularly No.23 as this is a chalet bungalow'

We have answered this above with regard to adjacent properties. However it must be noted that no.23 already extends back further than our house and has a separate, setback garage, extending halfway back into their garden on the east side, so our extension will have no

effect on them at all.

2/ Natural light would be significantly reduced for No .23, mainly morning sunlight.

As addressed in point one, their garage already blocks all light from the East, so our extension will have no effect on this.

3/ The 3-story extension and roof configuration would not be in keeping with the local area, especially in a small cup-de-sac.

Our house has a window on the 2nd floor. The house opposite No 23 , No 36 St Richards Way, is also three story, as is another house further down the road. All houses are different in this area.

4/ This extension is of such a size that it will dominate my property and cause significant loss of light from the east, particularly morning sunlight.

This has been answered in point 2

5/ The completed building will not be in line or keeping with the other properties in the immediate area.

All properties in the immediate area are different in size and appearance.

Comments on Representations received:

Noted. The impact of the extension is dealt with in the Conclusions.

CONSULTATIONS

Consultations responses received:

No consultees.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7
DEV19

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Aldwick has not prepared a Neighbourhood Plan.

The site falls within Area 9, St Richards in the Aldwick Village Design Statement. The description of the area is as follows:

St Richards Way, its cul-de-sacs, Parkfield Avenue, Sefton Avenue and St Richards Drive contain a mixture of mature 1930s houses and bungalows together with a number of properties built during the 1960s/1970s.

Street Scene:

St Richards Way and the other roads in the area have a varying line of frontages which is

accentuated by a mix of hedgerows, low brick walls and wooden fences enclosing the front gardens. This presents a different and varied picture producing a nice eye line of varying heights and interests and enhances the look of the of the area.

Design Attributes:

- Well-spaced and designed properties.
- Differing house and bungalow styles.
- Wide pavements.
- Some public amenity trees.

Development Criteria:

- New or replacement buildings or extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby.
- Where planning permission is required, preserve existing separation of dwellings, and prevent unneighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived linkages between buildings.
- Exercise strict control over any roof development likely to be particularly intrusive by virtue of proximity to neighbouring dwellings. Any roof redesign should be sympathetic and in keeping with the character of existing properties.
- Materials matching the existing building to be used where appropriate.
- Front boundaries should contribute to overall street scene
- Retain and enhance the amenity trees, spaces and access ways and replant/replace trees lost to damage or disease.
- Preserve character of 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 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 is within the built-up area where the development is acceptable, subject to accordance with relevant planning policies. The main criteria against which the application will be assessed are contained within the Arun District Local Plan which in this case is considered to be GEN7 and DEV19 of the Arun District Local Plan, 2003 and D DM1, D DM4 and D SP1 in the Emerging Arun

Local Plan 2011-2031 (Publication Version, October 2014) which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

The proposals are sympathetic to the appearance of the existing dwelling in terms of roof pitches and eaves and massing. Walling elements are also sympathetic in terms of materials.

The design will result in an increase in the two-storey gable facing adjoining dwellings by 4m from 7.4m to 11.4m. There will be an increase in impact on outlook from adjoining dwellings, although this impact will not be significant for no.26 given that it has ground floor windows screened by the panel fence. No.24 has windows facing the site, although these are screened by a wooden panel fence and in no.24 has its garage adjacent to the area of the extension. Adjoining dwellings are set away from the boundary and this further mitigates impact. Whilst the gable will be deep, it is not considered to be so great in depth, taken with the screening, that there would be harm to visual amenity such that permission should be refused.

The rear location of the extension is such that it will not be generally visible from the street and there is no detriment to the street scene and wider visual amenity.

Alterations to the front balcony are limited and will not result in detriment to the appearance of the dwelling in the street scene.

The extension is acceptable in design and visual amenity terms and complies with policies.

RESIDENTIAL AMENITY

The extension moves the rear openings outwards between 3.5m at first floor, it is difficult to conclude that this would result in increased overlooking or privacy loss, since there are already rear facing windows and those proposed do not result in an appreciable increase in glazed area.

In terms of light, the extension will have a very limited impact. These dwellings are south facing and therefore light is mainly impacted upon by the dwellings as existing. The addition of the rear extension will not result in a significant or harmful impact upon light.

Potential overlooking or privacy loss from side windows or side roof lights can be prevented by imposing a condition requiring these windows and roof lights to be obscure glazed and non-opening in perpetuity.

Whilst this is a fairly large extension, it can be accommodated on the site without harm to amenity such that planning permission ought to be refused. The alterations to the front balcony will not result in any appreciable impact on amenity.

PARKING

The extension will not result in loss of parking.

It is recommended that the application be approved, subject to the following conditions.

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 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

In assessing this proposal the Neutral 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).

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 drawings:

Drawing Number 2/6 - Proposed Floor Plans - Dated 16 July 2015

Drawing Number 4/6 - Proposed Elevations - Dated 16 July 2015

Drawing Number 5/6 - Proposed Section - Dated 16 July 2015

Drawing Number 6/6 - Proposed Section & Roof Plan - - Dated 16 July 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 3 No development shall be carried out until a schedule of details of materials and finishes to be used for external walls and roofs and replacement balcony screen of the extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in

the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1 and D DM4 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 4 The windows in the east and west elevations and the roof lights in the east and west roof planes of the extension hereby permitted shall at all times be glazed with obscured glass.

Reason: In the interests of amenity to protect the privacy of the adjoining occupiers in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 5 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.