

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

REF NO: AW/66/26/HH

LOCATION: 8 Hamilton Gardens
Aldwick
Bognor Regis
PO21 4EQ

PROPOSAL: Rear single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representation received from nearby occupiers.

POLICY CONTEXT

Prone to Groundwater Flooding
Tree Preservation Order
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest
CIL Zone 4

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a detached two storey dwelling along Hamilton Gardens. This application seeks planning permission for the construction of a single storey rear extension. The proposed single storey rear

extension would measure 6m wide and 4m deep, with a mono-pitched roof with a maximum height of 3.7m and an eaves height of 2.4m. Fenestration is proposed within the rear (north-west) and side (south-west) elevation as well as two rooflights. The works would not be visible from the street scene.

It is noted that the depth of the rear extension would exceed the 3.3m guidance depth for rear extensions to detached dwellings outlined within the Arun Design Guide (ADG), however given the garden would retain a depth of 13.1m, the depth of the extension is acceptable in this instance. The rooflights would be in accordance with Part M of the ADG as they maintain the privacy of the neighbouring properties and are used discreetly.

The proposal would not result in harm upon the character of the area and is in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4 .

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the Arun Design Guide states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The property has neighbours to either side. The extension is set in from the flank elevations of the dwelling and would not extend beyond the existing separation distances to the side boundaries. There is a distance of 5.7m to the south and 3.9m to the north, as well as 13.1m to the rear boundary with the highway. As a result of these distances, the rear extension would not result in overbearing or overshadowing impacts.

Fenestration associated with the extension would be contained within the ground floor and would not provide an outlook significantly different to that currently achieved and would not result in additional overlooking effects. Rooflights are used sparingly and would not result in overlooking.

The proposal would not harm the residential amenity of neighbouring properties in accordance with ALP policies D DM1 and D DM4.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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.

CIL DETAILS

This application is CIL liable.

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:

Block Plan, Location Plan, Proposed Floor Plan
Proposed Elevations
Proposed Roof Plans

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.