

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

REF NO: BR/108/21/HH

LOCATION: 49 Chestnut Grove
Bognor Regis
PO22 9JF

PROPOSAL: Erection of single storey rear extension and side porch

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension and side porch.

REPRESENTATIONS

Bognor Regis Town Council - No Objection.

1 letter of objection received from nearby occupier:
- Concerns over loss of light

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built-Up Area Boundary
2km Buffer for Site of Special Scientific Interest
Pagham Harbour Zone B

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

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

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The property is a semi-detached two storey dwelling to the north east of Chestnut Grove. The property is brick with a pitched tile roof. There is small garden area to front (south) and garden area to rear (north). There is a brick shed in rear garden on north east boundary. Neighbouring properties are 47 Chestnut Grove and 51 Chestnut Grove. The surrounding area is residential in character and contains properties of similar design.

The proposals are for a single storey rear extension and side porch.

The single storey rear extension will be to the north elevation. Due to the siting at rear of property it will have restricted views from street scene and being at single storey it is visually subservient to the main property so will not adversely impact character of surrounding area so complies with policy D DM1 of the Arun Local Plan.

The single storey rear extension will have a width of approximately 5.62m and a depth of approximately 5.99m. The height to flat roof will be approximately 2.94m (3.23m to top of roof lights). There will be double bi-fold doors on the rear elevation facing the garden and double bi-fold doors on the east elevation facing the garden. There will be 2 new roof skylights.

The side porch will be to the east side so it will party infill the gap to the side boundary. Due to location it will be highly visible from the street scene. Due to proposal being at single storey it is visually subservient to the dwelling and will not cause adverse harm to street scene or character of area so will comply with policy D DM1 of the Arun Local Plan.

The side porch has a width of approximately 3.58m and a depth of approximately 3.01m. The height to flat roof will be approximately 2.82m. There will be a front door in the south elevation and a new window in front (south) elevation facing garden area to front.

Arun recently adopted a Design Guide. It states development should be subservient to the main dwelling in terms of scale and size.

The proposal does not comply as it extends further into garden (5.99m) from rear elevation of original dwelling however a 3m extension can be done as permitted development and 6m as extended permitted development with a prior notification application so the impact on the property to west will not be much different to that achievable via a "fall back" position.

The materials seem to match existing dwelling and consist of red/orange brick facade walls, flat roof, white UPVC windows and uPVC or Aluminium bi-fold doors at the rear and brown Existing Front Door to

be reused on the porch so complies with policy D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The rear extension will have a width of approximately 5.62m and a depth of approximately of 5.99m. The height to flat roof will be approximately 2.94m and to top of roof light will be 3.23m. Due to the siting at the rear of the property there will be increased effects of overshadowing or overbearing effects to 51 Chesnut Grove. However the design being single storey and the depth are similar to that which could be achieved under permitted development.

Arun's Design Guide states rear extensions can have significant impacts on neighbouring amenity in terms of privacy and overshadowing, particularly in terraced and semi-detached dwellings where neighbours are in close proximity. It states rear extensions should go back no more than 3.3m from rear elevation of original dwelling.

The proposal does not comply as it extends further into garden (5.99m) from rear elevation of original dwelling and conflicts with the 45 degree test to ascertain if the proposal affects neighbours access to light. However a 3m extension can be done as permitted development and 6m as extended permitted development with a prior notification application so the impact on the property to west will not be much different to that achievable via a "fall back" position. Whilst there will be an impact on no 51 in the morning due to some overshadowing this is not sufficient to result in a refusal.

There are no new windows proposed in west elevation of rear extension so there is no increase harm to overlooking to neighbouring properties to west.

Due to new bi-fold doors in north elevation of extension there is increased risk to overlooking to neighbouring properties to west however due to siting of extension it is beyond building line to west so will not cause adverse harm to overlooking to neighbouring property to west. Due to a gap of 9m remaining to north boundary of site and no direct neighbours to north and existing boundary fence there is no harm to overlooking to neighbouring properties to north. Due to new bi-fold doors in east side elevation of extension there is increased risk of overlooking to neighbouring property to east however due to gap of approximately 5.18m remaining to east side boundary and property to east set back there is no adverse harm to overlooking to property 47 Chestnut Grove to east so is acceptable.

The side porch will have a width of approximately 3.58m and a depth of approximately 3.01m. The height to flat roof will be approximately 2.82m. Due to the siting of porch on east side of property there is increased risk to overshadowing or overbearing effects to neighbouring property to east however due to being at single storey and neighbouring property set back from east side boundary there is no adverse harm to overshadowing or overbearing effects to neighbouring property to east.

Due to new single window to front (south) elevation of porch extension and new front door on south elevation there is increased risk to overlooking to neighbouring properties to south however due to being set back from road by around there is no adverse harm to overlooking effects to neighbouring properties to south east so is acceptable.

Due to the design and siting of the development, the extension is acceptable because it does not give rise to adverse harm upon neighbouring amenity and accords with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with relevant development plan policies 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:
Existing Location Plan & Proposed Block Plan CGB01.00 Rev. 2
Existing Ground Floor Plan & Elevations CGB01.01 Rev. 3
Proposed Ground Floor Plan & Elevations CGB01.02 Rev. 3

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 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.