

Recommendation Report for Planning Permission

REF NO: BR/11/26/PL

LOCATION: 33b First Floor Flat
Canada Grove
Bognor Regis
PO21 1DW

PROPOSAL: Conversion of loft to habitable use with 1 No. rear dormer and 1 No. front rooflight.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

SITE CHARACTERISTICS The site comprises a two storey semi-detached building finished in red brick with white fenestration. An area of hardstanding is located to the front of the site, providing off-street parking for one vehicle. The building has previously been converted to two flats, one at ground floor level and a two bedroom flat at first floor level. The proposed development relates to the first floor level flat, while the ground floor would remain an unchanged independent residential unit.

CHARACTER OF LOCALITY The surrounding area is predominantly residential in character. Linden Road and Station Road, located to the north of the site, contain a mix of residential and commercial uses.

RELEVANT SITE HISTORY

BR/28/06/	Change of use to create 2 no flats from existing single dwelling: internal adaptations to suit	ApproveConditionally 03-03-06
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Planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - No objection.

No representations were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built-Up Area Boundary.

Within an area with potentially high groundwater levels.

DEVELOPMENT PLAN POLICIES

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

DSP1	D SP1 Design
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
SPD11	Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site comprises a first floor flat located at 33b Canada Grove, Bognor Regis.

The application seeks planning permission for a loft conversion to create additional habitable accommodation, including the construction of a rear dormer and the installation of a rooflight within the front roof slope. The proposed rear (north-west) dormer would extend across the rear roof slope, and would measure approximately 5.5m in width and 3.4m in depth. It would be finished in hanging tiles in a slate grey colour to match the existing roof covering and would incorporate a felt flat roof, with a maximum height of approximately 2.6m.

The proposed dormer would increase the massing of the building, however, the original roof ridge would be retained and the development would not project beyond the existing building footprint. As it would be located on the rear elevation, the dormer would not be visible from the street and would only be visible from the car park and block of flats to the rear. Although the dormer would not be subservient to the host dwelling and would be large in scale, the use of materials matching the existing dwelling would help to reduce visual impact. Furthermore, it is noted that there are other buildings within the vicinity with a variety of roof extensions including large flat roofed dormers. As such, the proposal would not result in harm to the character or appearance of the host property or the wider area, in accordance with the Arun Design Guide (ADG).

Fenestration to the rear (north-west) would include a three-pane window within the dormer structure. A single rooflight is also proposed on the front (south-east) roof slope. While the ADG advises against the introduction of rooflights on principal elevations, the surrounding street scene contains examples of front dormers and varied roof openings. In this context, the addition of one rooflight would not appear incongruous. This deviation from ADG would therefore be acceptable in this instance.

The proposal would not result in any harm to the character or appearance of the host building, street scene or wider area, and as such, the proposed development would be in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed dormer would be constructed up to the neighbouring (south-west) side boundary. It would be partially screened by the existing rear roof projections serving both the application property and the adjoining dwelling. As a result of this existing built form, the proposal would not give rise to overbearing impacts or overshadowing to the adjoining neighbour on this side.

To the north-east, the development would retain a separation distance of approximately 2.4m from the neighbouring dwelling. Given the dormer's position within the existing rear (north-west) roof slope and the distance between the properties, it would not result in any overbearing or overshadowing effects on this neighbour.

The site does not benefit from a private rear garden, and therefore there is a potential for overlooking and loss of privacy to the ground floor neighbour, in addition to adjacent neighbouring properties. However, the proposed rear facing window would be positioned in a similar location to existing first floor

openings. Consequently, the development would not introduce any additional or harmful overlooking impacts beyond the existing situation as the views via the proposed dormer would not be dissimilar to those already available from the existing first floor fenestration.

The proposed front (south-east) rooflight would serve a bedroom. With a separation distance of approximately 18m to the nearest opposing neighbouring property, and given that the primary outlook would be toward the public highway, the rooflight would not result in overlooking or loss of privacy for neighbouring occupiers.

The development would not result in harm to neighbouring amenity, in accordance with policies D DM1 and D DM4 of the Arun Local Plan and the ADG.

PARKING

The application site is located within Parking Zone 4, where the Arun Parking Standards (APS) require a provision of two on-site parking spaces for dwellings containing four or more bedrooms. As a result, the proposal would generate a shortfall of one parking space. It is noted that the existing hardstanding area on site is capable of accommodating a single vehicle.

Notwithstanding this shortfall, on-street permit holder parking is available within the vicinity, and both a public car park and the train station are located within a short walking distance of the site. While the lack of full on-site parking provision is noted, the proposal would result in demonstrable harm to highway safety or parking capacity in the local area.

SUMMARY

The proposal is in accordance with the relevant development plan policies. As such, it 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 not 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:

- Location Plan.
- Block Plan.
- Proposed Plans 02.
- Existing and Proposed Elevations 03.

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.