

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

REF NO: BR/120/20/HH

LOCATION: 32 Victoria Road
Bognor Regis
PO21 2JF

PROPOSAL: Demolition of existing garage and addition of a proposed annex.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to demolish an existing garage and construct a detached annexe.

RELEVANT SITE HISTORY

BR/119/17/HH	Conversion of part double garage to annexe for elderly relative (resubmission following BR/96/14/HH).	ApproveConditionally 06-07-17
BR/96/14/HH	Proposed double garage conversion to annexe for elderley relative.	ApproveConditionally 11-06-14
BR/300/01/	Proposed two storey rear extension forming kitchen, bedroom, shower room and w.c.	ApproveConditionally 09-11-01

REPRESENTATIONS

No objection.
No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 of the Arun Local Plan. Bognor Regis has a made Neighbourhood Plan however none of the policies are relevant to this application.

DESIGN AND VISUAL AMENITY

The host dwelling sits to a corner with the garage situated to the rear garden fronting Swansea Gardens.

The existing double garage will be replaced with an outbuilding that will serve as an annexe, with a single garage to the ground floor.

The existing garage is hipped whilst the proposed is barn hipped and therefore the roof design will increase the bulk of the roof. The outbuilding will have a width of 7.15m and a height of 5.7m which is an increase from the existing structure by around 0.4m. This will ultimately increase its visual presence within the street scene.

The proposal is set back slightly from the road frontage with around 2m. Whilst the structure is larger than existing, it is considered appropriate in scale to its location and not as an overdevelopment on the site or unduly dominant upon the street frontage.

The outbuilding will consist of brick exterior with a tiled roof which is the same as existing and the surrounding area.

The proposal will construct 2 dormers to the front, however the area is mixed in appearance and the design is not considered out of character.

The proposal is not considered to result in the outbuilding adversely impacting the visual appearance of the street scene or character of the area and accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal will be situated to the rear garden of the host dwelling, however due to the siting, this fronts the street scene.

There is a two storey property to the east, with a garage located at the boundary. With a window in the eastern dwelling facing the outbuilding, this will likely be impacted as a result of the height increase and barn hip roof proposed. However, this is already impacted with views directly of the roof of the existing garage and it is not considered the alteration will give rise to impacts additional than that which is already achieved.

To the rear of the property there are two storey dwellings facing the outbuilding. The gardens are relatively small around 8m in depth. The first floor windows to these dwelling are predomianitenly obscured glazed.

It is considered the properties to the rear would be impacted as a result of the overbearing nature of the proposal due to the proximity and siting of the garage. However, the main bulk of the development already exists and the height increase is modest, with the changes unlikely to result in an impact significant when compared to existing. It is accepted the impact upon the properties to the rear was taken into account when dealing with the previous approved scheme and considered acceptable. Therefore, it is considered unreasonable to refuse on this ground in the current application.

There is a rooflight proposed facing the southern elevation. This serves a landing however has the potential for views towards the rear facing properties and as such it will be conditioned obscured to avoid overlooking. This is in line with the previous application.

There is a window proposed to the ground floor eastern and western elevation which will serve a garage and bathroom and due to their siting, are not considered to result in adverse overlooking.

The first floor of the outbuilding will have living accommodation and have two dormers. Whilst these allow for additional views, it will be of the street scene and not considered to provide adverse overlooking.

A condition will also be included to ensure the outbuilding is not used as a separate unit of accommodation.

In the absence of adverse harm, by way of overbearing, overshadowing or overlooking, the proposed development is deemed to accord with D DM1 of the Arun Local Plan.

PARKING

The proposal retains 1No. parking space within the ground floor garage. Whilst this would lose 1 garage space it is not considered to result in an adverse impact upon the highway and it is unclear whether it is currently used a parking or storage.

It is considered appropriate to restrict the use of the garage area so that it is not used for residential accommodation in the future without the consent of the Council to ensure the implications of any larger living space and further loss of parking can be assessed.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and 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

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 therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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
 - Floor Plans - 130-01-14 (2/6/20)
 - Elevation Plans - 130-02-14 (2/6/20)

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

- 3 The roof light windows on the south roof slope/elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

- 4 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of occupiers of No.32 Victoria Road, Bognor Regis as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 5 The proposed garage as shown on the approved plan, 130-01-14 (2/6/20) shall only be used for the parking of vehicles or storage related to the residential use of No. 32 Victoria Road, Bognor Regis and shall not be used as additional residential accommodation in the annex without the prior approval, in writing, of the Local Planning Authority.

Reason: To define the terms of the planning permission and to safeguard the amenities of adjoining occupiers and the character of the wider area in accordance with policies D DM1 of the Arun District Local Plan

- 6 **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.