

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

REF NO: BR/148/19/HH

LOCATION: 25 Ash Grove
Bognor Regis
PO22 9JT

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No objection from Bognor Regis Town Council.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary

DEVELOPMENT PLAN POLICES

[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
SDSP2	SD SP2 Built-up Area Boundary

[Bognor Regis Neighbourhood Plan 2015 Policy 8A](#) Design Excellence

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the

Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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.

Policy 8a of the Bognor Regis Neighbourhood Development Plan outlines development proposals should demonstrate excellence in design especially design that will help establish a strong sense of place and create attractive and comfortable places to live, work and visit. A central part of achieving excellence in design is responding to and integrating with local surroundings landscape and context as well as the built environment through the use of: good quality materials; using planting; promoting high quality spaces and light; adopting the principles of sustainable drainage where appropriate.

DESIGN AND VISUAL AMENITY

The proposed extension is situated to the rear of the dwelling and as a result is not visible from the street scene, it is not deemed to have a significantly detrimental impact on the established spatial pattern, or visual amenity of the area. The extension due to its design and siting is considered to appear subservient to the host dwelling with materials to match.

The proposed alterations are considered to be acceptable in terms of design and visual amenity, in that they do not have any considerable impact upon the street scene, or the established character of the site.

The proposed extension is not deemed to impact upon the spatial pattern or character of the area and is in accordance with DDM1 and DDM4 of the Arun Local Plan in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is considered to have a significant impact upon the residential amenities of neighbouring dwellings. The proposed construction would be located 0.1m from the northern boundary, 22.5m from the eastern boundary and 1.3m from the southern boundary. The proposed window and doors are sited on the eastern elevation not gaining a view of any neighbouring dwellings. As the proposal is single storey it is considered to mitigate any potential for loss of privacy however, the proposed extension is deemed to break the 45 degree ruling as the extension runs along the boundary. The neighbouring property has French doors located closely to the boundary and the proposed development would then cast a shadow over said doors. The extension would impact on the private amenity space of the neighbouring property and thus is not considered to not be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

It is noted a 3m deep may be constructed under permitted development rights.

SUMMARY

The proposed development is not considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan. Therefore, the application is recommended for refusal due to its unacceptable detrimental impact on the neighbouring residential amenity. Additionally, as a result of its scale and massing having an unacceptable overbearing impact on the occupiers of the dwelling to the west at 27 Ash Grove.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed ground floor extension, by virtue of their scale, siting, size and proximity to the boundary will have an unacceptable overbearing impact upon the neighbouring property, 27 Ash Grove, in conflict with policies D DM1 and D DM4 of the Arun Local Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.