

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

**REF NO:** BR/154/15/HH

**LOCATION:** Nyewood House  
182 Hawthorn Road  
Bognor Regis

**PROPOSAL:** Conversion & extension to garage

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

It is proposed to move the front wall of the existing garage forward by 1.55m to be in line with the main front wall of the dwelling. The garage would be extended upwards, with the eaves raised 2.5m to 3.2m and the ridge from 4.6m to 5.7m. In addition, dormers would be formed on both sides of the roof of the new garage roof. The dormer in the north east roof plane would be 11.8m long and would have a flat roof which would be 5.15m above ground level and the wall of which would be read as a continuation of the upwards extension adjoining the the boundary. The extended garage would have a front gable and the side wall of the dormer would be set slightly back from the gable. Matching materials are proposed.

**SITE AREA**

Approximately 0.13 hectares.

**RESIDENTIAL DEVELOPMENT DENSITY (NET)**

The site is located in a medium density residential area.

**TOPOGRAPHY**

Predominantly flat.

**TREES**

None affected by the proposed development.

**BOUNDARY TREATMENT**

The side boundary in the area of the extension is formed by the side wall of the existing garage. In front of this is a wooden fence on low wall, this treatment also is on the front boundary. other boundaries are a mixture of mainly fencing and planting.

**SITE CHARACTERISTICS**

The site is occupied by a large detached dwelling which presently occupies most of the width of the plot. The dwelling is two storey with a front gabled element and also a catslide roof with front dormer with hipped back roof. To the north east side of the main dwelling is a

single storey attached garage which extends out to the plot boundary. This garage has a ridged roof with front gable. Materials are red brick, red plain small roof tiles and there is some red tile hanging.

to the front of the site is a large area laid to gravel and capable of accommodating a considerable number of vehicles.

#### CHARACTER OF LOCALITY

The area is predominantly residential and in the immediate vicinity of the dwelling is characterised by large dwellings, although there is a mix of dwelling types.

#### RELEVANT SITE HISTORY

No planning history.

#### REPRESENTATIONS

##### **Representations received:**

Bognor Regis Town Council

Bognor Regis Town Council raises no objection.

No representations have been received from nearby occupiers.

##### **Comments on Representations received:**

None.

#### CONSULTATIONS

##### **Consultations responses received:**

No consultees.

##### **Comments on Consultation responses:**

N/A

#### POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

#### DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN2](#)  
[GEN7](#)  
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary  
The Form of New Development  
Extensions to existing residential buildings  
SD SP2 Built-Up Area Boundary  
D DM1 Aspects of Form and Design  
Quality  
D DM4 Extensions and Alterations to  
Existing Buildings (residential and non-  
residential)  
D SP1 Design

**PLANNING POLICY GUIDANCE**

NPPF  
NPPG

National Planning Policy Framework  
National Planning Practice Guidance

**POLICY COMMENTARY**

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

There is no Made Neighbourhood Development Plan for Bognor Regis.

**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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

#### **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

#### **CONCLUSIONS**

##### **PRINCIPLE**

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014) which seek to prevent development that would have an adverse impact upon visual and residential amenities.

##### **DESIGN AND VISUAL AMENITY**

This application seeks planning permission for the development outlined in this report and will result in limited change to the appearance of this dwelling. The proposal is not dissimilar to the appearance of the existing dwelling and provides a continuity of appearance. It is also designed to have a secondary appearance. Whilst larger and having a greater mass, the development is not of disproportionate size given the size of the existing dwelling. The design is sympathetic to the appearance of the dwelling. The slight set back on the side of the dormer will serve to break up the massing as will the setting in of the main wall of the dormer. Use of a flat roof further reduces mass and impact.

The development is considered to be acceptable visually and would not be either intrusive or incongruous and therefore not detrimental to the appearance of the dwelling or to the street scene.

It is therefore considered that the development is acceptable in design and visual amenity terms and complies with policies.

##### **RESIDENTIAL AMENITY**

The adjoining dwelling has a single small obscure glazed window in its side gable facing the site. There will be limited impact on this in terms of light, but not to an unacceptable degree. This dwelling does not have side ground floor windows facing the extension.

The raising of the weight of the garage and the dormer do have the potential to be visually dominant on the boundary and there will be some limited light loss at ground level. However, the affected area has no ground floor windows and is effectively a side pedestrian access to the adjoining dwelling through to its rear garden. It is not considered that there would be any significant harm to residential amenity for these reasons.

It is therefore considered that the development is acceptable in residential amenity terms and complies with policies.

#### **OTHER**

Parking at the site will be more than satisfactory to serve the extended 5 bedroom dwelling. Internal space within the rooms proposed is in accord with standards.

The proposed new first floor accommodation is annotated as a proposed annexe on drawing number 06. However, the accommodation is to be 2 bedrooms and a bathroom. In addition, at ground floor the accommodation is a games room and the garage is to be retained. The first floor accommodation is accessible through the garage or through the dwelling, it does not however appear to be independent living accommodation. The agent has confirmed that the bedrooms are to be for family members (2 sons) and no self-containment or independent living accommodation is proposed. A condition requiring ancillary use has been added for the avoidance of doubt.

It is therefore recommended that the application be approved, subject to the following conditions.

#### **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 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 neutral 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).

#### **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 drawings:

Drawing Number 05 - Proposed Ground Floor Plan - Dated July 2015  
Drawing Number 06 - Proposed First Floor Plan - Dated July 2015  
Drawing Number 08 - Proposed North Elevation - Dated July 2015  
Drawing Number 07 - Proposed South Elevation - Dated July 2015  
Drawing Number 09 - Proposed East Elevation - Dated July 2015  
Drawing Number 10 - Block Plan - Dated July 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 3 Notwithstanding the wording 'Proposed Annexe, First Floor plan' on Drawing Number 06 - Proposed First Floor Plan - Dated July 2015, the accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of no. 182 Hawthorn Road as a single family dwelling and shall not be used as a separate unit of living accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014) 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.

- 4 The materials and finishes of the external walls and roofs of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 5 The window in the north east side elevation of the dormer element of the development hereby permitted which faces the side boundary with no.180 Hawthorn Road shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenity and privacy of the occupiers of the adjoining dwelling in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 6 No windows other than that shown on the plans hereby approved shall be constructed in the north east side elevation of the dormer element of the development hereby permitted which faces the side boundary with no.180 Hawthorn Road without the prior permission of the Local Planning Authority on an application on that behalf.

Reason: To protect the amenity and privacy of the occupiers of the adjoining dwelling in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031

(Publication Version, October 2014).

- 7 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.