

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

REF NO: BR/199/25/HH

LOCATION: 49 Mons Avenue
Bognor Regis
PO21 5JL

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Bognor Town Council - No response received.

No representation received from nearby occupiers.

Bognor Town Council requested further clarification on on any Local Plan policies referring to spacing that is required to be retained between the walls of buildings for maintenance purposes. There are no Local Plan policies outlining guidance on this matter. No further comments have been received.

DEVELOPMENT PLAN POLICIES

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

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:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUSAL AMENITY**

The site comprises a semi-detached two storey dwelling with a generous rear amenity area. The proposal is for the construction of a single storey rear extension.

The proposed extension would have a width of 7.7m, spanning across the entire rear of the host dwelling. The extension would have a depth of 5.4m and would have a flat roof form with a height of 3.4m. Two rooflights would be installed within the flat roof of the extension, serving the ground floor accommodation. It is noted that the proposed extension would exceed the guidance depth of 3.3m for rear extensions outlined within the Arun Design Guide (ADG), however, given that a rear garden with a

depth in excess of 27m would be retained, the proposed extension would not result in harm to visual amenity or the character of the host dwelling.

The extension would feature bi-folding doors and a window within the rear elevation, facing onto the rear garden. The extension would have a window on the western flank elevation. The extension would be finished in white render above 0.9m, with brickwork running across the bottom of the extension on all elevations up to 0.9m. The proposed fenestration would be white UPVC to match the existing fenestration arrangement. The proposed materials would be in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4.

The extension would protrude 2m less into the rear garden than the neighbouring extension at 50 Mons Avenue, to the south-east and would maintain a 1.5m gap between the flank of the extension and western side boundary with 48 Mons Avenue, consistent with the existing arrangement. Whilst the depth of the extension exceeds the guidance set out for semi-detached dwellings in the Arun Design Guide (ADG) the extension is consistent with architectural form in the locality and would remain subservient to the host dwelling. The proposal is in accordance with ALP policies D DM1 and D DM4 in terms of design and visual amenity.

RESIDENTIAL AMENITY

The rear extension would be constructed in line with the existing flank elevations of the host dwelling, and would therefore extend up to the shared eastern side boundary with 50 Mons Avenue. The boundary is screened by hedging and it is noted that the neighbour to the east, 50 Mons Avenue, has no existing fenestration within the flank elevation facing the application site. Furthermore, the proposed extension would not extend beyond the existing rear elevation of this neighbour and as such, the proposed extension would not result in overbearing or overshadowing impacts to the neighbour to the east.

The extension would be 1.4m higher than the boundary treatment along the shared western side boundary with 48 Mons Avenue. The extension would maintain the existing 1.5m separation from the western side boundary and 2.7m separation from the south-eastern flank of 48 Mons Avenue. There would be a minimal intrusion of the 45 degree splay line, as described in the ADG, however, given the spacing maintained between the proposed extension and the neighbour to the west, the proposed extension would not result in significant overshadowing or overbearing impacts to the neighbour to the west.

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

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 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 01
 - Proposed Site Block Plan 10 A
 - Proposed Floor Plans 11
 - Proposed Roof Plan 12
 - Proposed Sections 13
 - Proposed North and East Elevations 14
 - Proposed South and West Elevations 15
 - Biodiversity Enhancement Statement
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.