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

REF NO: BR/270/23/HH

LOCATION: 44 Hampshire Avenue
Bognor Regis
PO21 5JJ

PROPOSAL: Single storey rear extension and installation of front porch, following the demolition of existing rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks permission for a single storey rear extension and installation of front porch, following the demolition of an existing rear extension.

REPRESENTATIONS

Bognor Regis Town Council - No response

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

DEVELOPMENT PLAN POLICIES

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE
The key policies are D DM1 and D DM4 of the Arun Local Plan, and guidance outlined in the Arun Design Guide.

Bognor Regis has a 'made' Neighbourhood Development Plan, although no policies are relevant to this

application.

DESIGN AND VISUAL AMENITY
This proposal seeks a single storey porch to the front of the property, and an extension to the rear.

The principal elevation exhibits four windows, with the access door to the property along the side elevation. The works will seek to relocate this access door to the front of the property in a new porch. This porch will comprise a front access door and window, and measure 1.2m deep and 3m wide. It will have a mono pitched lean to roof, of 3.3m in height. The installation of this porch to the front will alter the principal elevation, however given its minor scale, this will be a minor impact to the visual appearance of the property and will have no adverse impact on its character. The attached neighbour No.46 has a front door with flat roof canopy to their front elevation, and the addition of a door to the front elevation at No.44 will be in keeping with this neighbour. As such, it will not appear unduly out of keeping, nor have an adverse impact on the composition, appearance, or character of the street scene. This aspect of the proposal is acceptable in regard to visual amenity.

At present there is an outhouse projection to the rear elevation. This is flat roofed, and measures 3.5m deep and 2.6m wide. The proposal will replace this, with a new flat roofed rear extension. This will span the full width of the rear elevation (7.2m) and project a depth of 5m from the rear building line. It will measure 2.8m in height. Whilst a large extension, the proposal will integrate with the rear elevation, and will not appear unduly out of place. Being to the rear, it will have no adverse impact on the visual appearance of the property and will remain in keeping with the general character of the host. It will have no impact on the character, composition, or appearance of the area, and is an acceptable addition. It will have minimal impact on visual amenity.

The proposal appears fairly subservient to the host and is well-integrated. Though the rear extension is large and flat roofed, it will not appear unduly obtrusive to the rear of the property and is a similar scale to a scheme that could be constructed under extended permitted development rights. Although not overly sensitive to the scale of the property, its flat roof and large nature does not warrant refusal on design grounds. The proposal has materials matching the existing, which helps ensure minimal intrusion on visual amenity. Whilst large, the scale and massing of the proposal is acceptable, and will not unduly overbear or dominate the dwelling. Both proposals preserve the character of the locality and maintain the composition of the street scene.

The Arun Design Guide states new developments should respond to and complement the existing character and appearance of the property. The development responds to the character and appearance of the property and will retain a sufficient amount of garden amenity space. It is acceptable and in accord with the Design Guide.

The development will have no adverse impact on visual amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Arun Design Guide.

RESIDENTIAL AMENITY
Given the location of the porch to the front, and transitional use, this aspect of the proposal will not result in any overbearing, overshadowing, or overlooking. It will have negligible impact on residential amenity and is acceptable.

The extension to the rear will have a flat roof at 2.8m high, and project 5m deep. It will retain 0m to the northern boundary, 8m to the west, and 1.5m to the south. These distances accord with D DM4 of the Arun Local Plan and are acceptable. It is acknowledged that the proposal will sit next to the shared boundary with No.46 and will result in some overbearing and overshadowing of 5m of their rear amenity space. This will have an impact on residential amenity for the occupiers of No.46. The Arun Design

Guide states that rear extensions should not intersect the 60 degree line when taken from the centre of the nearest neighbours window. When measured from No.46, the extension does not intersect this line, and accords with the Design Guide. As an extension such as this of 6m deep could be built under extended permitted development rights, refusal on the grounds of harm to residential amenity by way of overbearing and overshadowing is unjustified. The extension itself will be only 0.8m higher than the existing. On balance, the harm to amenity is not adverse, and is acceptable.

The proposal will not include any features that would result in adverse overlooking of neighbouring properties, with all windows and doors facing onto the land of No.44.

The Arun Design Guide states that extensions should not negatively impact, and instead protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings, and respond to existing elevations through the size and positioning of doors and windows. The proposal accords with this.

The development will not be unduly harmful to residential amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Arun Design Guide.

SUMMARY
The development is in accord with the relevant development plan policies and as such 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 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 Ground Floor Plan
- Proposed Elevations

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

3 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 National Planning Policy Framework.