

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

REF NO: BR/295/21/HH

LOCATION: 1 Burnham Gardens
Bognor Regis
PO21 2LA

PROPOSAL: Removal of part of existing rear extension and erection of single storey rear extension.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

This application seeks to construct a single storey rear extension, following the removal of part of an existing rear extension.

RELEVANT SITE HISTORY

BR/245/07/	Ground floor extension off existing dining room to rear of the property. New stair from first floor to proposed second floor loft conversion to include flat roof dormer to rear & two velux to the front elevation. Proposed tile hung gable end to side elevation. Proposed porch to front elevation.	ApproveConditionally 24-09-07
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BR/43/89	Conversion from house to two flats	Refused 20-02-89
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REPRESENTATIONS

Bognor Regis Town Council - No Objection

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXTBuilt Up Area Boundary
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest

CIL Charging Zone 4

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
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CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Part M and general guidelines set by the Arun Design Guide are additionally considered.

Bognor Regis has a 'made' Neighbourhood Development Plan, but does not have any policies that are of relevance to this application.

DESIGN AND VISUAL AMENITY

The property is a three storey semi-detached property, located in a close off of the main road. The extension will be situated to the rear, and as such will not be visible from the street scene.

The extension will extend from and replace part of an extension to the rear of the property. It will have a width of 3.5m and depth of 4.15m, with a flat roof matching that of the attached neighbouring extension, and an existing roof dormer. This will differ to the lean to pitched roof of the existing extension, and to the gable roof of the main dwelling, but given its modest size and location, is not considered to be unduly harmful to the visual appearance or character of the property. The local area has a mixed composition, with the majority of properties in close proximity to the dwelling being two storey semi-detached and of a similar style. Being to the rear, the proposal retains no distance to the front boundary and has no impact on the composition or character of the street. It will be clearly visible from the driveway to the side, leading to a single storey neighbouring bungalow to the rear of the dwelling, but is unobtrusive and will not have adverse harm on visual amenity.

The proposal appears subservient to the design of the host dwelling and is well integrated. Established building lines of the dwelling will be retained and the materials proposed will match that of the existing, ensuring minimal impact on the appearance of the dwelling.

Part M of the Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. The proposal is in keeping with the design and character of the dwelling, and of its locality. It is well designed for its context, retaining a sufficient amount of the existing rear garden and is in accord with Part M.

The development is not considered to have an adverse impact on visual amenity or the character of the

area and is in accord with D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

RESIDENTIAL AMENITY

The proposal is to the rear and will be single storey with a flat roof. Its roof will have a height of 2.75m, lining up with the existing flat roofed extension of the neighbouring property. A distance of 3.3m to the south west and 7.7m to the north west boundaries will be retained by the extension. Being semi-detached, the extension is situated on the neighbouring boundary to the north east. The Arun Design Guide recommends extensions should follow a 45 or 60 degree rule in regards to impact on neighbouring properties. The proposal meets the 60 degree rule, which is advised for single storey rear extensions, and is not considered to cause demonstrably adverse harm on the neighbour to the north east. The proposal slightly fails the 45 degree rule and the Design Guide suggests this could result in some impact on light to the neighbouring property. However it only just fails the 45 degree test and therefore it would not be reasonable to refuse the application. Given its scale and proximity, the proposal will not result in unacceptable overbearing or overshadowing and is in accord with D DM4.

The extension will feature a bi-fold door to the north west elevation, window to the south west and skylight to roof. The neighbouring property to the rear may be at potential risk of overlooking by the bi-fold door, but as the door is single storey and of a sufficient distance away, it is not considered to cause adverse harm to amenity. The other features do not directly overlook, overshadow or overbear any neighbouring properties and pose no risk to residential privacy or amenity.

Part M of 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 is respectful to the privacy of the neighbouring properties and exhibits no features that may negatively impact residential amenity. The proposal is considered to accord with Part M.

The proposal is in accordance with D DM1 and D DM4 of the Arun Local Plan and does not result in unacceptable harm upon neighbouring amenity. It also complies with Part M of the Arun Design Guide.

SUMMARY

The proposed development is deemed to 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 Floor Plan and Elevations Sheet 1
- Existing Floor Plans, Elevations and Existing and Proposed Roof Plan Sheet 2

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 **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.