

REPORT UPDATE

Application No: BR/306/19/HH

Reason for the Update / Changes

Reason for Update/Changes:

- Missing representations from nearby occupiers.
- A further letter of objection raising concerns with the details of the officers report.
- Report Clarity

Officers Comment:

There have been 3 letters of representations from nearby occupiers on the following grounds:

- Overbearing impact on the neighbouring properties.
- The application being out of character with the area and having a detrimental impact on the street scene due to the change in symmetry present.
- Other houses within the area having their applications refused for similar works.
- It is not believed the report needs amending.
- The history attached to the application is as follows:
 - BR/42/09/PL for a two storey side extension located at 29 Arun Road and was refused.
 - BR/121/11/PL for a two storey side extension located at 12 Arun Road and was refused (this was a resubmission of BR/327/10/PL).
 - BR/327/19/PL for a proposed two storey side and rear extension located at 12 Arun Road.

As well as the applications above there have been multiple others that have been approved and created changes to the street scene. these include:

- BR/236/00/PL for a side extension and conservatory located at 8 Arun Road.
- BR/347/03/PL for the raising of a gable roof from hipped located at 46 Arun Road.
- BR/140/90/PL for an extension to the side of the property to be used as a Granny Annexe located at number 27 Arun Road.

Note: The Officers Recommendation remains the same.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: BR/306/19/HH

LOCATION: 28 Arun Road
Bognor Regis
PO21 5PD

PROPOSAL: Two storey side and rear extension, single storey rear extension & replacement front porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

BR/42/09/	Side extension	Refused 24-04-09
BR/121/11/	Proposed double storey side extension (Resubmission of BR/327/10/)	Refused 23-06-11
BR/327/10/	Proposed side and rear extension	Refused 14-01-11 Appeal: Dismissed

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

- A departure from the Arun Local Plan Policy D DM4 whereby any extension or alteration should not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.
- Unacceptable size in scale and bulk.
- Unbalance the symmetry of the pair of semi-detached houses
- Detrimental to, the existing spatial character and pattern of the street scene contrary to policies D SP1 and D DM1 of the Arun District Local Plan.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

2km Buffer for Site of Special Scientific Interest
Pagham Harbour Zone B
Within the Built Up Area Boundary

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

CONCLUSIONS**PRINCIPLE**

The key policies considered are DDM1 and DDM4 of the Arun 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 locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Bognor Regis Town Council have a 'made' Neighbourhood Plan but none of the policies are considered relevant.

DESIGN AND VISUAL AMENITY

The development to the side and rear is large and as a result adds bulk to the property, however it is set lower than that of the host dwelling and is therefore considered a subservient addition. It also appears sympathetic in appearance with materials matching that of the host dwelling.

Whilst the extensions proposed are large in nature due to their locations and the house positioning it is not considered that the views of the extension will be extensive. The alterations to the principle elevation are considered to be minor as it is a replacement of the existing front porch. It is noted that there is a character to the area which consists of symmetrically paired houses. The houses in the locality have been subject to some alterations, mainly in the form of single storey extensions, garages and outbuildings, this is evident at number 27 where a single storey side extension is clearly visible from the street scene. The changes to properties in the area have altered the once uniformed pattern and eroded rigid style and design. This change in style is also epitomised through the design of the dwellings between 33 and 41 Arun Road.

There have been applications for two storey extensions in the area that have been refused and dismissed at appeal. However, the differing location of the dwelling in question. No. 28 is set back from Arun Road and is a corner plot. As such the dwelling has a different garden space and will have a differing impact on the street scene to the preceding applications. The gap between the buildings also means the proposal will hardly be visible.

The development is not considered to adversely impact upon the spatial pattern or character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal removes the existing front porch and replace it with a slight enlargement to incorporate the moving of the front door to the principle elevation. The roof will be changed to accommodate a lean to roof. This will have an eaves height of less than the original but a maximum height of 3.6m whilst this is high it is not considered to be a detrimental factor to the application.

The two storey extension has a hipped roof which sits just below that of the ridge height of the host dwelling. Whilst the addition adds bulk to the rear of the property, due to the siting of the development with the two storey addition sited towards the rear of the property, with a single storey addition to the north west, the development is not considered to give rise to significant impacts upon neighbouring occupiers. This includes that of the 45 degree rule. It is appreciated that the two storey extension does protrude to the rear and there will be some impact on the visual amenity from the neighbouring windows but due to the separation it is not considered to have an adverse impact.

There is a single window at first floor level in the side of the extension - this will be conditioned to be obscure glazed.

The proposal whilst adding bulk to the property, as a result of the siting and design the development is not considered to result in significant overlooking, overshadowing or overbearing impacts upon neighbouring amenity.

SUMMARY

The proposed development is deemed to accord with relevant development 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.

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 and Site Plan
 - 002 Proposed Plans & Elevations
 - 003 Proposed Elevations
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 The first floor window on the south-east elevation of the building shall at all times be glazed with obscured glass permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.
- 4 **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.