

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

REF NO: BR/49/18/HH

LOCATION: 11 Elmwood Avenue
Bognor Regis
PO22 8DE

PROPOSAL: Two storey side & single storey rear extensions.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

BR/45/09/	New detached two-storey dwelling	Refused 26-05-09
BR/41/09/	Single storey rear extension	ApproveConditionally 01-05-09

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council
Bognor Regis Town Council: No Objection.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Comments Noted

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest (Bognor Reef and Felpham).
Railway Property (15 metre buffer)

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE/POLICY:**

The principle of development is acceptable within the built up area boundary in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 subject to consideration against relevant development plan policies. The key Policy considerations in the determination of this application are deemed to be D DM1 and D DM4 of the Arun Local Plan 2011-2031.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

The relevant plan is the Bognor Regis Neighbourhood Development Plan 2015-2030:

There are no policies which are relevant to this application.

PLANNING

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 conflict with relevant Development Plan policies in that it would not be subservient to the main dwellinghouse.

OTHER MATERIAL CONSIDERATIONS:

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Even though the proposal is considered not to be subservient to the existing dwelling, it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties. Also the proposal would not have an adverse impact upon the established character of the surrounding area.

PROPOSAL:

This application seeks planning permission for a 2 storey side extension to provide an enlarged kitchen and sitting room, additional bedroom, bathroom and shower room along with a single storey extension to provide a utility room and WC.

The proposed 2 storey side extension would measure approximately 2.5 metres (to the front) and 2.8 metres (to the rear) in width, 9.3 metres in depth and 8.7 metres in height (of resultant dwelling).

The Proposed single storey rear extension would measure approximately 3.0 metres in width, 3.5 metres in depth and 2.9 metres in height.

CHARACTER OF LOCALITY:

The site is located in a residential road of two storey dwellings of a similar style.

SITE CHARACTERISTICS:

The site is a two storey detached dwelling with two pitched roof elements which are plain tiled. The extreme lower section of the elevations is brick faced, whilst the upper is rough rendered. There is a two storey gable to the front of the property.

DESIGN AND VISUAL AMENITY:

As aforementioned the proposal consists of a 2 storey side extension and a single storey rear extension.

Officers note criteria a, b, d and e of Policy D DM4 whereby:

- a. the extension or alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials;
- b. the extension or alteration is visually subservient to the main building and provide a high standard of amenity;
- d. in streets characterised by relatively small gaps at first floor level between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary and;

e. the extension or alteration does not compromise the established spatial character and pattern of the place but is instead a positive addition.

The single storey extension would be to the rear and as such would not be visible from the highway to the front of the site. Additionally, as the rear extension would be single storey it is considered that this element would be subservient to the host dwelling.

From the Officer's site visit and an assessment of the plans it is noted that the proposed side extension would have the effect of enlarging the front facing gable ended portion of the dwelling up to the common boundary. Additionally the proposal would seek to raise the ridge height of the host dwelling by approximately 1.3 metres. While the proposed side extension would lead to the creation of a larger dwelling it would seek to maintain the style of the existing dwelling, only enlarged.

From an assessment of the street scene it is noted that a common characteristic is larger gaps between properties. It is noted that over time single storey side extensions such as garages have been built between properties, thus reducing the aforementioned gaps at ground floor level. However the gaps at first floor still remain. Officers consider that even though the proposed side extension would be 2 storey and would enlarge the dwelling up to the common boundary there would be a minimum separation distance of approximately 3.55 metres and a maximum separation distance of 4.0 metres from the side elevation of the proposed side extension to the side elevation, at first floor, of adjoining property number 9. Therefore, Officers consider that even though the separation distance between the application site and the common boundary of adjoining property number 9 would be reduced, as a result of the built form of the dwelling being increased, given the aforementioned first floor separation distances it is considered that a terracing effect would not occur, particularly at first floor level.

The applicant has stated that the proposed external materials would on the whole match those used in the existing dwelling. Therefore the proposed materials are considered acceptable.

From an assessment of the plans and Officer's site visit the proposed single storey rear extension, would be acceptable in design terms as it would be of a size, scale and design that harmonises with the original dwellinghouse. Therefore the proposals would not be unduly prominent or out of keeping with the design and external appearance of the application dwelling. Additionally, it is considered that the proposal would not have a detrimental impact on the street scene and wider area.

As such, it is considered that the proposed dormer window(s) would comply with Policy D DM1 and criteria a, b, d and e of Policy D DM4 of the Arun Local Plan 2011-2031.

RESIDENTIAL AMENITY:

There is a railway line and trees behind the closed boarded fencing to the rear of the site. Therefore given the longer distances across the railway line and the trees which would provide screening it is considered that no detrimental impact to properties across the railway line would occur from either of the proposed extensions.

Given the siting of the proposed extensions and adjoining property number 13 it is considered that no overlooking would occur toward number 13 from as a result of the proposals.

No windows are proposed into the side elevation of the proposed 2 storey side extension. However, 2 windows are proposed into the rear of the resultant dwelling at first floor level. One window would serve a bathroom and the other a bedroom. When the 45 degree approach is applied it is considered that no

materially detrimental overlooking would occur to the primary amenity space immediately to the rear of adjoining property number 9 from the proposed bedroom window, however it is considered that some materially harmful overlooking would occur from the bathroom window. Therefore officers consider an obscure glazing condition re: the bathroom window to be appropriate and one will be imposed on any grant of planning permission.

It is therefore considered that no detrimentally harmful overlooking would occur to the occupiers of adjoining and neighbouring properties.

Officer note a that there are windows in the side elevation of adjoining property number 9 at ground floor level, to the rear of the attached garage which would face out toward the proposed side extension. Officers consider that having regard to the aforementioned separation distances and that the windows are northerly facing, the proposal would not have a detrimental impact with regards to loss of light.

Due to the size, scale and siting of the proposal it is considered that it would not have an overbearing impact on the occupiers or adjoining properties, in particular number 9.

Officers consider that the proposal would not have a detrimental impact on the occupiers of adjoining and neighbouring properties with regard to, overlooking, overshadowing, overbearing effect and loss of light/sunlight.

As such it is considered that the proposal would comply with policies D DM1 and D DM4 criterion 3. of the Arun Local Plan 2011 - 2031.

PARKING AND HIGHWAY SAFETY:

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted the SPG - Parking Standards Arun District 2000. Development proposals should comply with the appropriate guidance as set out within these documents.

Currently there is space for the parking of at least 2 cars off-road to the side of the dwelling, in and in front of the existing carport. It is noted from an assessment of the plans that as a result of the proposed side extension there would be a total depth of 4.5 metres to the rear of the highway, in front of the extension, for the off-road parking of a motor vehicle. Officers note that the usual expected dimensions of a parking space is 4.8 metres in depth and 2.5 metres in width. Officers consider that while the depth of the off-road parking space would be 0.3 of a metre less, than the expected 4.8 metres, it is likely a small car could fit. At the time of the Officer's site visit it was noted that there was a BMW MINI on the drive. Officers note from a web search, that the depth of the current 2018 mini is 3.8 metres. Therefore it is considered that a small car or other small vehicle could be parked off-road. While the size of the off road parking space is not ideal and would preclude future occupiers parking a larger saloon car or van off road, officers note that there are no on road parking restrictions. From the Officer's site visit it was noted that there is space, should it be available, for the safe parking of cars on road, in particularly in front of the dwelling.

Therefore it is considered that the proposal would not have a detrimental impact on parking and highway safety.

As such, it is considered that the proposal would comply with Policy T SP1 of the Arun Local Plan 2003.

TREES:

There are no trees which would be affected by the proposed extensions.

IMPACT ON THE RAILWAY

The application site is within the railway buffer (15 meters). The National Town Planning Manager - Network Rail has been consulted and has not commented at the time of writing this report (28/08/18). From an assessment of the plans it is considered that the proposed extension would be set of the rear boundary by a sufficient amount and as such would not interfere with the railway line or its operation.

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:

11713.01, 11713.02, 11713.03, 11713.04, 11713.05, 11713.06A, 11713.07 and 11713.08

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 3 The window, serving the bathroom on the west elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening to a height of 1.7 metres from the floor of the room it serves.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 AND D DM4 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.