

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

REF NO: BR/56/25/HH

LOCATION: 30 Madeira Avenue  
Bognor Regis  
PO22 8DB

PROPOSAL: Demolition and replacement of garage with small extension in its area and creation of habitable space above, changes to depth of upper first floor front window, addition of 2 No. roof windows to existing building and PV panels on South elevation.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION As above.

<b>REPRESENTATIONS</b>
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Bognor Regis Town Council - No objection.

No representations received from nearby occupiers.

**CONSULTATION RESPONSES RECEIVED:**

None

<b>POLICY CONTEXT</b>
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Built Up Area Boundary  
2km Buffer for Site of Special Scientific Interest  
Future Flood Zone 3a (2111)

**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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<b>CONCLUSIONS</b>
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## **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 application seeks permission for the replacement of an existing garage with a one and half storey side extension, with garage and store at ground floor and habitable space at first floor. Additional works include changes in depth to an existing first floor window, installation of 2 No. roof lights and PV panels to the southern elevation.

At present, the dwelling has a single storey flat roofed garage to its southern side elevation. This is to be demolished, and replaced with a slightly larger side extension measuring 6m deep and a maximum of approximately 3.3m wide. The extension will be set down from the main ridgeline, and have a gable roof measuring 6m, with eaves 4.1m to match the existing. It will not project past the established front building line, and whilst larger in bulk and massing than the existing garage, will not appear unduly out of place. The design is well-integrated, and will remain subservient in scale and appearance to the main dwelling. It will not have an adverse impact on the visual amenity of the property, and is an appropriate replacement for the existing structure, reflecting the architectural features of the dwelling.

Being to the side, the proposal will be visible from the street scene, and have some impact on the composition and appearance of the area. Madeira Avenue has a varied street scene, comprising detached dwellings of differing scale on modest plots of land. Each dwelling varies in design, and has a differing style to its neighbour. No.30, for example, is set between a one and half storey gable roofed chalet bungalow to the south, and a two storey hipped roof dwelling to the north. As such, whilst the proposed will minorly alter the appearance of the street scene, it will not appear out of character, nor have an unacceptable impact on the composition of the area.

Cosmetic changes, such as the increased window size to front first floor window, and the rooflights, will have minor impact on the visual appearance of the property, and will remain in keeping with the character. The PV panels to the southern elevation are acceptable, as they are similar to that which would be allowed under permitted development rights.

All works appear subservient to the design of the existing property, and are closely integrated. The materials proposed are to match the existing, which will aid better integration with the main dwelling. In terms of scale and massing, all works are acceptable, and will have no dominant or obtrusive impact on the visual appearance of the property and 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, in accordance with the Arun 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**

The proposal will measure 6m in height, and will abut the southern boundary with No.28. Being to the side, and not extending past the existing front and rear building lines, the proposal only poses impact on the amenity of No.28. At present, the northern elevation of this neighbouring property comprises a flat roofed carport, and pitched roof, with no openings. Whilst the proposal will increase the bulk of built form along this shared boundary, the harm to residential amenity will be negligible. It will not unduly overbear or overshadow, nor introduce any openings which will result in adverse overlooking.

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.

### **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 (Ground and First)
- Roof Plan
- Proposed Front Elevation
- Proposed Rear Elevation
- Proposed South Elevation

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 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policy D DM1.

- 4 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).

- 5 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.