

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

REF NO: BR/60/26/HH

LOCATION: 71 Longford Road
Bognor Regis
PO21 1AE

PROPOSAL: Retrospective application for conversion of former detached garage to an annexe, including raising of the ridgeline.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

BR/310/18/HH	Roof alterations to form gable end to new 2nd floor with rear dormer projection & 1 No. new window in ground floor south elevation.	ApproveConditionally 18-01-19
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REPRESENTATIONS

Bognor Regis Town Council have objected to the proposal, raising concerns about the potential / existing use of the annexe as short-term let accommodation or as an Air BNB. A condition has been attached to the permission to ensure that the use of the annexe remains ancillary to the host dwelling; should this condition be breached, the applicant may be subject to enforcement action.

Five letters of objection were received from a nearby occupier, raising concerns about parking, access and the mezzanine floor. The mezzanine floor has been included on amended plans. Matters relating to parking have been assessed in the conclusions section below. Ownership concerns are a civil matter, however, it has been noted that the owners of 71 Longford Road do not have a right to vehicular access via the southern access road. Certificate B has been signed on the submitted application form and the stated ownership details correspond with Land Registry documents.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site includes an end-of-terrace, two storey dwelling (with loft conversion). The proposal is for retrospective planning permission following the conversion of the detached garage into an annexe, including the raising of the roof ridge.

Since the conversion of the detached garage to an annexe, the roof ridge has been raised by approximately 0.5m, to a height of 4.2m, now accommodating a mezzanine floor. Whilst the increased height adds bulk to what was previously a garage, the retention of the pitched roof and siting of the garage (to the rear of 71 Longford Road) away from the public realm are such that the alterations have not resulted in harm to visual amenity.

Amendments to fenestration included the removal of the garage door, replaced by a window and door. Two circular windows are situated above the new door and window. The eastern elevation, fronting onto the rear garden of the site, includes a singular window. Three rooflights are located within the eastern roof slope. The fenestration is appropriate in terms of scale and number and has not resulted in harm to visual amenity.

It would have been beneficial for a door to be included on the east elevation, so access to the annexe could be achieved from the rear garden, appropriate for the ancillary relationship with the host dwelling. However, given that there are two gates in the rear garden providing access to the entrance of the annexe, and the fact the annexe will be conditioned to remain ancillary to the host dwelling, the lack of access directly from the rear garden has not resulted in harm to visual amenity and the scale of the converted garage is appropriate to remain ancillary to the host dwelling.

The proposal is in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal has not resulted in any adverse impact to any neighbouring properties by way of overlooking; the windows and doors on the south elevation offer views of the access road only. The window on the east elevation offers views of the rear garden serving the host dwelling only. Whilst some oblique views of neighbouring gardens could be available from one of the rooflights over the mezzanine level, the views would be oblique and would not be dissimilar to the existing fenestration within the host dwelling. As such, this rooflight has not resulted in harmful overlooking so as to justify the refusal of planning permission in this regard.

The increase in height has resulted in limited harm by way of overshadowing impacts on the neighbour to the north, 73 Longford Road, given that the outbuilding abuts the west and north boundaries. However, noting the siting of the annexe at the rear of the garden, and the very marginal increase in height, the resultant overshadowing impacts are not unduly harmful.

Considering the existing boundary treatment, siting of the annexe at the rear of the host dwelling and outbuildings in the northerly neighbours garden, there is no undue harm by way of overbearing impacts.

The proposal is broadly in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring amenity.

PARKING

The Arun Parking Standards state that dwellings with four or more habitable room, in parking behaviour zone 4, should have two off street-parking spaces. Currently, 71 Longford Road benefits from one policy compliant off-street parking space to the front of the property. Given that the requirement for parking spaces would not increase in light of the additional bedroom, there would be no impact to off-street parking availability.

Whilst not a planning matter, it should be noted that the garage, in its original use, would not have been a policy compliant parking space for the host dwelling, as there the occupants of 71 Longford Road benefits from pedestrian use of the access path to the south only, not vehicular access. As the occupants of 71 Longford Road do not benefit from vehicular access to the rear, no additional traffic would enter or exit the site.

The proposal, while not strictly compliant with Arun Local Plan policy T SP1, would not result in additional harm to congestion or the general highway network.

SUMMARY

The proposal is broadly in accordance with 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

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 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, Existing Plans and Elevations - 1C of 2
Pre-Existing Plans and Elevations - 2A of 2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.
- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 71 Longford Road and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.
- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.