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

REF NO: BR/61/23/HH

LOCATION: 44 Hawthorn Road
Bognor Regis
PO21 2DD

PROPOSAL: Removal of existing lean-to extension and erection of single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — Demolition of existing lean-to rear extension and construction of new single storey rear extension.

REPRESENTATIONS

Bognor Regis Town Council - No objection.

No representation from nearby neighbours.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Natural England - No comment received.

POLICY CONTEXT

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

Bognor Regis Neighbourhood Plan 2015 Policy 8A Design Excellence

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE

The proposal is assessed against Policies D DM1, D DM4, D SP1 of the Arun Local Plan, the Arun District Design Guide, Policy 8A of the Bognor Regis Neighbourhood Plan and the NPPF paras 130 & 134. Arun Design Guide provides detailed guidance that helps to raise design standards across the district. Section M states that development should respond to the distinctiveness of their host dwelling and surroundings in terms of scale, massing, materials, and protect the amenities of occupants and neighbours. Section M also illustrates the '60 and 45-degree rules'. These rules refer to the 60 degree sightlines and 45-degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight. The 60-degree rule specifically considers single storey rear extensions.

DESIGN AND VISUAL AMENITY

This proposal is for the demolition of an existing rear single storey lean-to extension with pitched roof, and erection of a single storey rear extension that is approx. 5.90m wide by 3.80m deep to a semi detached two storey dwelling. The approx. height to proposed eaves is 2.85m incorporating a new proposed flat roof design. The proposed north side elevation will not incorporate any new structural openings and is approx. 0.32m from the boundary. The proposed south side elevation will incorporate 1 no. new door opening and is approx. 1.63m from the boundary. The proposed rear west elevation will include 1 no. bi-folding door set and is approx.10.5m to the boundary. The proposed external walling is to receive a colour wash render and fair faced brick finish. The extension is minor in scale and would consist of materials that match the existing dwelling, resulting in a visually subservient and integrated design. The extension is sited such that it cannot be seen from the wider street scene and will have no further impact thereon. The design of the extension is sympathetic to the character of the host dwelling. The proposal is compliant with relevant Development Plan policies D SP1, D DM1 & D DM4 of the Arun Local Plan, the Arun District Design Guide, Policy 8A of the Bognor Regis Neighbourhood Plan and the NPPF.

RESIDENTIAL AMENITY

The proposal does not introduce any new vertical openings to the north side elevation, and is met by an approx, 1.8m high boundary fence at 0.32m. As such, will not cause harm by way of overlooking to the neighbouring property at no. 42. The proposed south side elevation introduces 1 no. new door at ground floor, opening onto rear amenity space and is faced by an approx. 1.8m high boundary fence at approx. 1.63m. As such it is not considered to cause harm by way of overlooking to the neighbouring property at no. 46. The proposed rear west elevation features 1 no. bi-folding door set at ground floor which opens out onto the rear private amenity space, being met by an approx. 1.8m high boundary fence at a distance of 10.5m. Although there is some reduction in the rear private amenity space, the distance retained meets the guidance of 10.5m as laid down in the Arun Design Guide, therefore remains an acceptable reduction. The proposed eaves height is approx. 0.05m above the existing extension, but will not give rise to any adverse impact by way of overbearing or overshadowing of the neighbouring properties. There is minor intersection of a 60- degree sightline from the rear of the neighbouring property at no. 42, however given the scale, siting, and separation distances from neighbouring dwellings, the proposal will not result in significantly overbearing, overshadowing, or overlooking on any neighbouring properties in compliance with relevant Development Plan policies D DM1 & D DM4 of the Arun Local Plan, Section M of the Arun Design Guide and the NPPF.

SUMMARY

The proposal is compliant 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

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, Site & Proposed Floor Plan Sheet 1.
Proposed Elevations Sheet 2.
Existing Plans & Proposed Roof Plan Sheet 3.

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.