

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

REF NO: BR/75/20/HH

LOCATION: 140 London Road
Bognor Regis
PO21 1BDPROPOSAL: Conversion of roofspace to habitable use to include a rear dormer and terrace,
with front and side rooflights.**SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION The application seeks to convert roofspace to habitable
accommodation with a rear dormer and balcony.**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

Objection

- Overlooking.
- Loss of privacy to neighbouring properties.

5 letters of objection from nearby occupiers.

- Visually intrusive.
- Will be able to look into property.
- Compromises privacy of neighbouring properties.
- Out of keeping with other developments in the area.

CONSULTATION RESPONSES RECEIVED:

None.

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
------	------------------------------------

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Bognor Regis has a Neighbourhood Plan however none of the policies are relevant to the determination of this application.

DESIGN AND VISUAL AMENITY

The proposal consists of the conversion of the roofspace to habitable accommodation with the construction of a rear dormer and balcony. As a result of the siting, the works are not visible from the street scene although there will be the addition of rooflights to the principal roof slope.

Due to the shape of the balcony, which extends beyond the roof line of the host dwelling in an unusual fashion, it is not a subservient addition however is integrated with the dwelling and is proportionate in scale to that of the size of the dwelling.

Due to siting of the proposal to the rear of the property with no viewpoints from the street scene, it is not considered detrimental to the appearance of the locality, and as such accords with D DM1 and D DM4 (a) and (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

The rear dormer has a flat roof and balcony with glazed screening. The flat dormer has a depth of 2m which extends a further 2.5m forming a balcony, with a width of 2m. The balcony extends approximately 1m beyond the roof and rear building line.

The balcony floor extends in line with the eaves of the dwelling, with a total height of 2.8m to the top of the flat roof dormer. There will be obscured glazed screening to the side elevations of the balcony to a height of 1.8m, with screening of 1.1m to the western elevation. Due to the siting and scale of the proposed, it is not considered to give rise to overbearing or overshadowing impacts.

However, the addition of the balcony would provide views over neighbouring gardens, specifically at 'Orceston' to the rear, which are not currently achievable. Whilst there is balcony screening proposed, it still gives rise to significant overlooking and with the depth of the balcony projecting a further 2.5m towards the rear garden, the views are considered significant resulting in an unacceptable loss of privacy to neighbouring rear gardens. The overall presence of the balcony will result in is an adverse perception of overlooking due to its generous size and siting, with around 12m retained to the rear boundary.

The roof lights to the front would provide views over the street scene which are considered acceptable.

The development conflicts with D DM1 (3) and D DM4 (c) of the Arun Local Plan.

SUMMARY

The development conflicts with relevant development plan policies and is recommended for refusal.

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**REFUSE**

- 1 The balcony, by virtue of the size and location, gives rise to unacceptable adverse overlooking and perception of overlooking to the private amenity space of neighbours located to the rear of the application site in conflict with policies D DM1 (3) and D DM4 (c) of the Arun Local Plan and the National Planning Policy Framework.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.