

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

REF NO: BR/85/19/HH

LOCATION: 31 Devonshire Road
Bognor Regis
PO21 2SY

PROPOSAL: New 1st floor extension over rear projection.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a first floor above an existing rear extension.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Regis Town Council provided no objection.

3 letters of objection from 1 nearby occupier.

- The first floor will seriously affect light enjoyed from the downstairs and upstairs windows.
- The balconies will result in lack of privacy.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary.

DEVELOPMENT PLAN POLICES

[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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINICPLE

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4.

Bognor Town Council has a 'made' Neighbourhood Plan however none of the policies are relevant to the determination of this application.

DESIGN AND VISUAL AMENITY

The development proposed is situated to the rear of the property and as such is not visible from the street scene.

The extension appears subservient to the host dwelling and is modest in size with a depth of 3m. The rear does not extend beyond the that of neighbouring properties and materials used will match that of the host dwelling ensuring it appears well integrated.

As a result of the siting and design the proposal is not considered to harm the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The development will construct a first floor extension over an existing 3m rear addition. The addition of a first floor is considered to impact upon the windows sited to the western elevation at No.29 however the development does not intersect a 45 degree line when drawn from the centre of the windows which is the tool used to assess serious effects on neighbouring properties daylight, sunlight and overbearing impacts caused. As a result any impacts are not considered significant in which a refusal is justified.

The roof will be flat hipped which slopes in line with the existing roof to a height 1.7m below that of the host dwelling and eaves to match. The development proposes 3 Juliet balconies to the rear first floor. Juliet balconies would also ordinarily fall under permitted development. They are therefore not considered to give rise to adverse overlooking additional to that which can already be achieved with windows already located at first level albeit they will increase slightly in depth. The rear elevation of the dwelling also sits behind that of the both neighbouring properties with 21m retained to the rear boundary.

Whilst there would be an impact on the amenities of neighbours (in particular no 29) it is not considered that the extension would cause such harm as to warrant a reason for refusal. The side facing kitchen window of no 29 would be affected via overshadowing/loss of light. However the kitchen benefits from a large window facing down the garden. The upstairs bedroom window of no 29 would have a loss of some light. However as a bedroom the time spent in the room during the day time is limited and as such the impact of the extension does not justify a refusal.

There would be some additional overlooking to neighbours as the upstairs windows would be further down the garden. However the oblique views gained are not sufficient wo warrant a refusal.

The development is not considered to give rise significant harm upon neighbouring amenity and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development 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
 - Existing Floor and Elevations and Proposed Roof Plan - Sheet 3 of 3.
 - Proposed Floor and Elevation Plans -Sheet 2 of 3.
 - Location, Block and Proposed Ground Floor Plan - Sheet 1 of 3.
 Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 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 policies DDM1 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.