

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

REF NO: BR/85/21/HH

LOCATION: 12 Cavendish Road
Bognor Regis
PO21 2JW

PROPOSAL: Proposed flat roof balcony and open framed and top glazed veranda unit.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to convert a flat roof (approved by BR/48/20/HH) to a balcony with screening and to have an open framed verandah to the rear at ground floor.
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RELEVANT SITE HISTORY

BR/71/21/NMA	Non material amendment following the grant of BR/48/20/HH for amendments to size & position of approved doors & windows to suit amended internal arrangements & provide additional daylight where new rooms/areas formed.	Approve 31-03-21
BR/48/20/HH	Two storey and single storey rear chalet extension	ApproveConditionally 22-05-20

REPRESENTATIONS

Bognor Regis Town Council: Objection

- Overlooking and loss of privacy
- Out of character with the local area

4 letters of objection

- Overlooking
- Noise pollution from being above any boundary
- Overshadowing
- Previous application was refused for first floor issues

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
 2km Buffer for Site of Special Scientific Interest
 Pagham Harbour Zone B
 Within the 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:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

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

SITE HISTORY

Under BR/48/20/HH a two storey chalet style rear extension and single storey rear extension were granted permission. Further alterations were granted by BR/71/21/NMA where size and positioning of doors and windows were changed.

DESIGN AND VISUAL AMENITY

The development will be to the rear and is unlikely to be greatly visible from the street scene other than views of the obscure glazed screening.

The balcony appears well integrated with, and subservient to the dwelling due to its scale and design. The properties are mixed in appearance with the dwelling being a detached chalet bungalow and two storey dwellings either side. Although with limited viewpoints it is not considered to appear out of character in the street scene.

The Arun Design Guide provides detailed guidance that will help raise design standards across the District. Section M refers to householder extensions. The proposal is considered to comply with this in that the design responds to and complements the character and appearance of the dwelling. The scale and massing is also appropriate.

Due to its siting at the rear of the property the proposal is not deemed to adversely impact the appearance of the street scene and accord with D DM1 and D DM4 of the Arun Local Plan

RESIDENTIAL AMENITY

The varandah has a depth of 3.7m running the full width of the property. It will be a single storey addition with a maximum height of 2.5m with development of this scale it does not have an adverse impact

regarding overshadowing or overlooking due to the single storey nature of the proposal.

Due to the siting of the balcony and neighbouring properties to the side elevations the balcony may give rise to additional views over gardens of neighbouring dwellings to that which is currently achievable and there should be screening to the sides to a height of 1.8m (which will be conditioned) to ensure overlooking is reduced. The separation distance from the boundary to the rear is 18.75m which is enough to ensure there is no unacceptable overlooking to the properties to the rear.

The proposal is not considered to result in adverse overbearing, overshadowing or overlooking in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with relevant development policies and as such is in accordance with D DM1 and D DM4 of the Arun Local Plan.

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.

CIL DETAILS

This application is not 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:

- Proposed Ground Floor
- Proposed First Floor
- Proposed Elevations 21-03-GD-256-188
- Block Plan 21-03-GD-256-15A
- Location Plan

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 The east and west elevation of the balcony at first floor level, shall at all times be obscured to a height of 1.8m with fixed obscured glass and said screening shall be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 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.