

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

REF NO: FP/61/26/HH

LOCATION: 39 Lindsey Court
Felpham
Bognor Regis
PO22 8JQ

PROPOSAL: Removal of existing detached garage and erection of detached annexe.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

FP/166/22/HH	Construction of a single storey annexe.	Withdrawn 07-11-22
--------------	---	-----------------------

REPRESENTATIONS

Felpham Parish Council - Objection:

On the basis that there are insufficient car parking spaces for existing and new accommodation.

6 No. letters of objection received:

- Insufficient parking provision for the existing dwelling and proposed annexe, particularly following the loss of the existing garage.
- Concern that the proposed annexe could function as a self-contained residential unit/holiday let
- Impact on neighbouring residential amenity, including increased noise, activity, disturbance, loss of outlook, overbearing impact and potential overlooking.
- Concern that the scale, siting and pitched roof of the proposed building would result in loss of light and overshadowing to neighbouring properties and gardens.
- Concern that the proposal would represent overdevelopment of the site and an intensification of residential use.
- Harm to the character and appearance of the area.
- Highway safety concerns and reduced access for emergency vehicles.
- Concern that the proposal is materially similar to a previous application and has not adequately addressed earlier concerns.
- The duration and management of construction works and works taking place outside normal hours.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within Built-Up Area Boundary.
 2km Buffer for Site of Special Scientific Interest.
 CIL Zone 4.
 Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021
 SPD11 Arun Parking Standards 2020

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site contains a semi-detached bungalow at the end of the cul-de-sac, Lindsey Court. This application seeks planning permission for the construction of a detached annexe, following the demolition of the existing detached garage. The proposed annexe would be sited within the front garden and would be visible from the street scene.

The proposed annexe would measure 4.9m wide and 8m deep, with a porch adjoining the west elevation measuring 1.7m wide and 2m deep, creating a total depth of 10m along the southern flank elevation. It would have a pitched roof with an eaves height of 2.4m and a maximum height of 3.7m. Four rooflights are proposed. The proposed annexe would be finished in render to match the host dwelling. The existing garage, measuring 2.5m wide, 5.5m deep and 2.4m high would be demolished to facilitate the proposed development.

Part M of the Arun Design Guide (ADG) states that development should respond to the distinctive characteristics of the building and surrounding area by taking a simple and unobtrusive form, which does not overpower the existing or neighbouring properties, while taking the opportunity to incorporate innovative design if appropriate and maintaining established building lines. The height, size and scale of the proposed annexe would appear obtrusive in this location, appearing dominant and incongruous within the street scene. The size and scale of the annexe would enclose a visual break in the development between dwellings, and would appear dominant and incongruous within the street scene.

There are no other examples of structures forward of the principal elevation along Lindsey Court. As such, the proposal would be an unsympathetic addition to the street scene that would not reflect or enhance the character of the locality. The existing front boundary treatment is low in height and would not provide any screening of the annexe from the street scene and, given its height and proximity to the front boundary, approximately 0.5m at its closest, the annexe would be a prominent addition to the street scene. As such, the proposed development would be contrary to Arun Local Plan policy D DM1.

The proposed development, by reason of its siting and scale, would appear out of character within the

street scene of Lindsey Court. The proposed development would be a visually obtrusive form of development and would result in demonstrable harm to the character of the locality and visual amenity of the host dwelling, street scene and wider area. The proposed development is therefore contrary to Arun Local Plan policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed annexe would be single storey, with a pitched roof and a maximum height of 3.7m. This would be 1.3m higher than the existing structure. The annexe would be set 0.5m from the southern boundary and 0.6m from the eastern boundary, compared with the existing separation distances of 2.2m to the south and 3m to the east.

The neighbouring properties to the east have short rear gardens of approximately 7m in depth. Given the increased height of the proposed annexe and its reduced separation from the site boundaries, the development would appear materially closer and more visually intrusive when viewed from neighbouring properties to the east and south.

Part M of the ADG sets out appropriate separation distances for development and seeks to preserve external garden amenity space to a depth of at least 10.5m. The rear garden depths of Nos. 8 and 9 Bala Crescent already fall below this standard, and the eastern wall of the proposed annexe would be positioned within 8m of their rear elevations.

No windows are proposed within the eastern or southern elevations; as such, the proposal would not result in overlooking impacts.

Overall, the proposal would have an overbearing impact and would cause a detrimental loss of outlook and amenity for neighbouring occupiers. The proposal would therefore be contrary to Arun Local Plan policy D DM1 and the ADG.

PARKING

The proposal involves the demolition of the existing garage. However, the existing garage does not meet the internal space standards of 6m by 3m set out in the Arun Parking SPD; therefore, its loss would not result in the loss of a parking space. Further, the parking area to the front is also undersized and is not of an adequate depth to accommodate a vehicle. The proposed annexe would exacerbate an existing poor arrangement, resulting in the loss of vehicular access to the site. No alternative access or parking layout has been submitted as part of the proposal.

Notwithstanding the above, whilst it is acknowledged that the proposal would result in an additional bedroom, and it is noted that there is currently no on site parking provision, the proposal would not result in demonstrable harm to highway safety so as to justify the refusal of planning permission on this basis.

SUMMARY

The proposed annexe, by reason of its height, size and scale, would appear unduly prominent within the street scene of Lindsey Court. The proposed development would be a visually obtrusive form of development and would result in demonstrable harm to the character of the locality and the visual amenity of the host dwelling and street scene.

The proposed annexe would by reason of its height, scale and proximity to the eastern and southern boundaries, would represent an unneighbourly form of development which would appear visually intrusive and overbearing to neighbouring properties. The proposed development is therefore contrary to Arun Local Plan policy D DM1.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 not CIL liable.

RECOMMENDATION

REFUSE

- 1 The proposed annexe by reason of its height, size and scale, would appear unduly prominent, incongruous and out of character within the street scene of Lindsey Court. The proposed development would result in demonstrable harm to the character of the locality and visual amenity of the host dwelling, street scene and wider area. The proposed development is therefore contrary to Arun Local Plan policy D DM1.
- 2 The proposed annexe would by reason of its height, scale and proximity to the eastern and southern boundaries, would represent an unneighbourly form of development which would appear visually intrusive and overbearing to neighbouring properties. The proposed development is therefore contrary to Arun Local Plan policy D DM1.
- 3 **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 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 provide pre-application advice in respect of any future application for a revised development.