

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

REF NO: AW/147/18/HH

LOCATION: 29 Fernhurst Gardens
Bognor Regis
PO21 4BA

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal seeks to erect a rear single storey extension.

RELEVANT SITE HISTORY

AW/295/15/T	Cut back left limb by 4m to 1No. Oak tree	ApproveConditionally 25-11-15
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No comment.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10 Aldwick Parish Design Statement

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun District Council Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun District Council Local Plan. Additionally, the Aldwick Parish Design Statement.

DESIGN AND VISUAL AMENITY

Due to its location, the proposed development is not visible from the street scene and therefore does not give rise to any unacceptable adverse impact on the character of the locality or the established pattern of the area.

The maximum height of the proposed development is 3.3m from ground level. This is approximately 4m lower than the existing ridge height of the host dwelling. Therefore, the proposed development is considered to appear subservient, nor is it deemed to harm its established character.

Resultantly, the proposed development is considered to be in accordance with D DM1(1), D DM1(2), D DM4(a) and (b) of the Arun District Council Local Plan (2011-2031). Additionally, the criteria within 'Area 5' of the Aldwick Parish Design Statement.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal has a maximum height of 3.3m, this is set over 4m from the closest dwelling to both the North, and the South. This is considered to prevent any significantly detrimental impact on the neighbouring amenities of adjacent occupiers. There is not considered to be a significant loss of privacy as whilst the proposal features windows on its Southern elevation, any views would be impeded by the fencing and mature foliage that lies between the two properties. Resultantly, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun District Council Local Plan (2011-2031).

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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

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:

- Plan - 1490-2 - Mar '18
- Elevations - 1490-4 - Mar '18

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun District Local Plan (2011-2031).
- 3 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun District Local Plan (2011-2031).
- 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.