

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

REF NO: AW/224/12/

LOCATION: 3 Apple Grove
Bognor Regis

PROPOSAL: Proposed single storey rear & side extension, new front & rear dormer windows & internal alterations (this application is a dual parish with Pagham) re-submission following AW/134/12/

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The rear single storey flat roof extension measures approximately 9.7m in width, depth of 5.9m and a height of 2.9m. The attached garage/store with porch measures approximately 2.9m in width, depth of 10.6m with a maximum height of 3.9m. The 2 no. front dormers each measure approximately 3.6m in width, depth of 2.6m with a height of 1.7m. The rear dormer measures approximately 9m in width, depth of 3.5m with a height of 2.4m.
SITE AREA	Approximately 810 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front has dwarf wall + shrubs approximately 1.5m in height, close boarded fencing approximately 1.8m to side boundaries, rear has close boarded fencing + tree screening over 3m in height.
SITE CHARACTERISTICS	Detached two storey property with front dormer, conservatory on rear with garage on side boundary. The property has reddish/brown brickwork, tiles roof with white window frames.
CHARACTER OF LOCALITY	Private residential estate. Detached dwellings of various styles and designs.

RELEVANT SITE HISTORY

AW/134/12/	Proposed single storey rear & side extension, new front & rear dormer windows & internal alterations (this application is a dual parish with Pagham)	Refused 02-08-2012
BR/52/60	Bungalow & garage	Approve 24-03-1960

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection.

Members have no objection to this application.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order 2/58

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[DEV19](#)
[GEN2](#)
[GEN7](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East plan adopted in 2009. It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraphs 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The proposal is a re-submission of a previously refused application AW/134/12. The extensions and rear dormer were considered to be of an acceptable size but the application was refused on the basis that the front dormer by reason of its size and design would appear out of character within the street scene. The application as submitted has replaced the single dormer with two flat roof dormers.

The rear conservatory is to be removed with part of the kitchen and the proposed single storey flat roof addition will extend along the full width of the building. The existing garage is to be removed and the new garage/store will be sited adjacent to the rear extension. The front porch which is open in appearance will be set back from the front of the dwelling by approximately 1.5m. The rear dormer has been reduced in height which is the same height as the front dormers.

With regard to residential amenity the neighbouring property to the east No 2 is sited approximately 3m away and to the west No 4 5m away. No 4 has windows on the east side elevation at ground floor level which is an ancillary lounge window, kitchen window and door. There is an obscure glazed window at first floor level which serves a wc. No 2 has the entrance door on the west side elevation which is set forward of the side extension and this is sited approximately 3m away. This property has a conservatory on the rear and this is sited approximately 3.5m away. Although the extensions will be visible above the side boundaries by approximately 1m it is not considered that this would be of an overbearing affect or create loss of

outlook to recommend refusal.

The front dormers are now considered to be of an acceptable size and height that do not detract from the host dwelling. There is an existing rear dormer and it is not considered that the extended dormer which serves a bedroom and bathroom would create any unacceptable overlooking than currently exists. The proposal has a window at first floor level on the west side elevation and, if approved, this will be conditioned to be obscure glazed.

The proposal is not considered to detract from the character or appearance of the host building or surrounding residential area and it is therefore recommended that the application be approved, subject to conditions.

HUMAN RIGHTS ACT

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 for 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 a neutral impact has 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).

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: Site 1:1250, Block 1:500, Proposed Ground & First Floor Drg No PP01-

1,2 Rev 1, Proposed Elevations PE01-1,2,3,4 Rev 1, Proposed Roof Drg No EPO1-3/PP01-3 Rev 1 received on 18th September 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The bathroom window at first floor level on the south west elevation of the building and the en-suite window on the rear dormer extension shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the neighbouring property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 No development shall be carried out unless and until details of the weatherboarding to be used on the external walls/dormers have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.