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

REF NO: **AW/235/12/**

LOCATION: 4 Pine Walk
Bognor Regis

PROPOSAL: Single storey rear extension & garage conversion

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed conservatory measures approximately 6.2m in width, maximum depth of 6.15m and a height of 2.8m, with lantern roof light 3.8m.
SITE AREA	Approximately 333 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Rear has close boarded fencing approximately 2m in height, west side boundary has wall/close boarded fencing/hedging approximately 2m in height, east side boundary has
SITE CHARACTERISTICS	Detached bungalow with integral garage (to be converted into habitable room). The property has reddish/brown brickwork, brown tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential cul-de-sac comprising detached bungalows.

RELEVANT SITE HISTORY

BR/75/51/I	Detached bungalow & garage	Approve 26-11-1958

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection
Members have no objection to the 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

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	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 Frameowork. It should nbe 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 therfore a material consideration in the determination of this planning application. Whilst it has not been fully 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 application seeks to construct a single storey extension on the rear eastern side of the bungalow and convert the garage into an en-suite.

The garage conversion although part of the application is considered to be "Permitted Development" and does not require the submission of a formal planning application. The dwelling has an existing conservatory on the rear and this is to be removed and the proposed single storey extension will be sited on the eastern side of the dwelling adjacent to the kitchen and living room. It will have a width of 6.2m and a maximum depth 6.15m and with the installation of a lantern roof light the mamximum height will be 3.8m.

To the east of the site is a garage compound which serves properties in Pinehurst Park. The neighbouring property to the west No 3 has a conservatory on the rear that is sited on the western side of the dwelling and the proposed extension will be sited approximately 12m away. There is a window on the west side elevation of the proposed extension that fronts No 3. However, with its single storey height and boundary screening of approximately 2m it is not considered that the proposal would be of an overbearing nature or create unacceptable overlooking.

The loss of the garage space is considered acceptable as there is sufficient provision within the site and to the front for the parking of vehicles. Due to its rear location the extension will not be visible in the street scene, nor would it harm the established character and appearance of the surrounding residential area.

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 negative 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 Drg No REV01, Floor/Elevations/Roof Drg No AHARD/PL/02 received on 28th 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 materials and finishes of the external walls of the conservatory hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

4 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.