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

REF NO: **AW/250/12/**

LOCATION: 44 Christchurch Crescent
Bognor Regis

PROPOSAL: Single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a single storey side extension (9.6 x 7.2 x 5.15 metres).
SITE AREA	Approximately 510 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGROPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Low brick wall to front and side.
SITE CHARACTERISTICS	Modern, semi-detached bungalow constructed from red brick with part tile hanging to side elevation, tiled pitch roof and detached flat roof garage to side.
CHARACTER OF LOCALITY	Open plan estate of modern semi-detached bungalows of identical character and design.

RELEVANT SITE HISTORY

AW/188/09/CLP	Application for a Certificate of Lawfulness for a proposed replacement conservatory	PP Not Required 25-11-2009

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection. Members have no objection to the application.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary
Permitted development restriction
Open plan condition
Tree Preservation Order

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.

Paragraph 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

DESIGN AND VISUAL AMENITY
The proposal seeks consent to erect a single storey side extension to a semi-detached, modern bungalow.

The proposed extension will be sited on the northwest flank elevation of the bungalow. The extension will have a pitch roof with front projecting gable and hip roof to the rear. The hip roofline reduces the scale, bulk and mass of the extension and the front gable is sympathetic to the design of the existing pitch roof bungalow. The extension will be positioned 600mm below the roofline of the host property and will therefore be visually subservient. Although the extension will effectively double the footprint of the bungalow, it is designed in such a way as to be visually integrated and subordinate to the host bungalow. Materials will match the existing.

In terms of visual amenity, the property is located on a corner plot in an open plan residential estate with gardens to the front and side. The proposed extension, by reason of its siting, will have a visual impact on the streetscene, but the design is sympathetic to the host property and the proposal will retain the open, spacious character of the property. The proposal will not therefore harm the open plan, spacious character of the surrounding residential estate, or compromise the established street pattern.

RESIDENTIAL AMENITY
The proposal will have no adverse impact on residential amenity, being sited on the northwest flank elevation facing the street. The extension will be sited sufficient distance from no. 46 to the north, such that there will be no adverse impact in terms of overlooking, loss of privacy or overshadowing, and will be screened by an existing flat roof detached garage.

SUMMARY
It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 to 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 (Neutral) 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).

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: drawing 1301-01 Plans and Elevations as Existing, drawing 1301-02 Proposed Plans and Elevations, received on 4 October 2012.

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

3 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: GEN7, GEN2, DEV19

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons

appear in the Officer report.