

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

REF NO: AW/331/13/

LOCATION: 3 Shorecroft
Bognor Regis

PROPOSAL: Front and rear extensions with balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 690 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front is open with shrubs, hedging on west side over 2m in height, rear has wall + shrubs approximately 1.5m in height, east side boundary wall 1.5m, west side boundary wall and close boarded fencing 1.5m-1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with attached garage on western side. The property has smooth rendered walls painted cream, tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential cul-de-sac comprising bungalows and two storey dwellings of similar style and design.

RELEVANT SITE HISTORY

BR/206/73	Detached bungalow and double garage	ApproveConditionally 26-04-1973
-----------	-------------------------------------	------------------------------------

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members have no objection to the application.

1 Letter of Rep

Measurements on plans are very faint and not clear. From the plans it appears that the car port will extend out by 5m. Design and Access Statement is incomplete and shows two rear photos not front photo.

report

1 Letter of Objection

Destroying the integrity of the immediate area of Shorecroft and the wider area of the estate by the introduction of a car port. Car port will be intrusive. The Design and Access Statement is vague and not complete and there is reference to a removeable ramp. The plans are small and difficult to read.

Comments on Representations received:

Parish Council comments noted

Rep comments and objection comments noted

The car port has been deleted from the application. An amended Design and Access Statement has now been received and shows the photos of the front and rear elevation. Unfortunatley the size of the plans as submitted cannot be enlarged but they are to scale. The removeable ramp to the rear of the property although stated in the Design and Access Statement is not part of the application.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	<u>DEV19</u>	Extensions to existing residential buildings
	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN7</u>	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.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to

report

be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 detached single dwelling is sited on a good sized plot in a cul-de-sac adjacent to the beach. The neighbouring properties to the east and west No 1 and 5 are of a similar size and design on similar sized plots. The application seeks to extend the front on the eastern side with new porch and the introduction of a hipped roof above the garage. The rear extensions are to be sited on the east and west side with the provision of a balcony centred in the middle of the dwelling. The initial plans had a front carport but this has now been deleted from the application as it was considered that its front projection was not in keeping with the surrounding properties or the street scene.

The garage extends out into the front garden and the main entrance is adjacent to the garage but is set back. A new hipped roof is proposed above the garage and the proposed new porch will extend out from the main dwelling by approximately 2m and will be set behind the garage by approximately 1m. The front extension on the eastern side will increase the existing bedroom and will extend out by approximately 1.5m which will be slightly set back from the front.

The rear extensions are to be sited on the east and west side of the dwelling. The extension on the eastern side will have a width of 6.6m with a rear projection of approximately 4.2m. The extension on the western side will have a width of 5.5m and a rear projection of 5.4m. The balcony will be positioned in the middle of the dwelling above the lounge area on a new flat roof between the roof element of the new extensions and will be no higher than the existing roof height. The extensions in view of their size and height are not considered to detract from the appearance of the host dwelling.

With regard to residential amenity the neighbouring property to the east No 1 is sited approximately 2m away. To allow for more light into the rear extension three high levels windows are to be installed on the eastern side of the main dwelling and new extension. The roof at this point slopes away from the boundary and whilst it is noted that this may not comply with the 45

degree rule when measured from the middle point of the bedroom window on No 1 it is not considered that this would create overlooking or loss of outlook to recommend refusal. The neighbouring property to the west No 5 is sited approximately 2m away. The proposed extension which is identical in appearance to the eastern side extension has a window on the western side which will serve the kitchen. There is a window on the east side elevation and a window on the rear that both serve the living area and whilst it is noted that the rear projection may not accord with the 45 degree rule when measured from the middle point of the window on the rear elevation. At certain times of the day there may be some overshadowing but it is not considered that the extension would create unacceptable overshadowing or loss of outlook to recommend refusal.

With regard to the balcony in view of its position within the roof there may be the potential for overlooking onto the neighbouring gardens to the east and west but any direct overlooking would be to the beach. The neighbouring property to the west No 9 Shorecroft has a balcony within the roof void.

Both front and rear extensions will be visible from public vantage points. However they are of a size and height that are not considered to be of an obtrusive nature, nor would they harm the established character and appearance of the surrounding residential area.

It is therefore recommended to approve the application, subject to 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 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: Location/Site Drg No FG13/08-01, Floor Drg No FG13/08-02, Roof Drg No FG13/08-03, East/South Elevations Drg No FG13/08-04, North/West Elevations Drg No FG13/08-05 received on 17th January 2014.

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 and roof of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed in the roof slope/elevations of the extensions hereby permitted on the east and west side which adjoins the side boundary with Nos 1 and 5 Shorecroft without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.