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

REF NO: **BE/142/12/**

LOCATION: 76 Central Avenue
Bognor Regis

PROPOSAL: Two storey and single storey extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a two storey side extension and a single storey rear extension.
SITE AREA	Approximately 193 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGROPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1 metre high wall and gates to front boundary. 1.8 metre high fence and trellis to rear. 1.8 metre high fence and blockwork wall to side boundaries.
SITE CHARACTERISTICS	1930s two storey end of terraced dwelling faced in rough cast render with red brick quoins, bay window to front and tiled hip roof. Single storey lean-to to rear and flat roof garage to side.
CHARACTER OF LOCALITY	Predominantly residential comprising 1930s two storey semi-detached and terraced properties of identical character and design.

RELEVANT SITE HISTORY

BE/9/81	Garage	Approve Conditionaly 18-03-1981

REPRESENTATIONS

Representations received:

Bersted Parish Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:
None
Comments on Consultation responses:
None

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary
Class C road

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.

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 conflcit with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality.

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

PRINCIPLE
The site is located within the built-up area boundary where the principle of new development is acceptable.

DESIGN AND VISUAL AMENITY
The property is a 1930s two storey end of terrace dwelling. The property has previously extended to the side to provide a single storey flat roof garage.

The proposal seeks to enlarge the dwelling by demolishing a single storey lean-to at the rear and erect a single storey flat roof extension, and construct a two storey half hip roof side extension.

The rear extension is visually subservient to the host dwelling. Although the design of the rear extension incorporates a flat roof, this will have limited visual impact, being a small extension to the rear. Materials will match the host dwelling.

The design of the two storey side extension is in keeping with the host dwelling; however, the extension will fill the width of the plot. It will be sited within 250mm of the side boundary at the narrowest point, increasing to 1.4 metres towards the rear. As such, it will appear cramped and does not comply fully with policy DEV19, whjich requires extensions at first floor level to be set back a minimum of one metre in streets characterised by relatively small gaps at first floor level. The character of the street is two storey 1930s terraced properties of uniform character and layout with limited spacing and separation. It is recommended that the first floor side extension is set in 1 metre and the roof fully hipped, in order to reduce the bulk and mass of the extension and improve the visual separation to the neighbouring property at no.78.

RESIDENTIAL AMENITY
The neighbouring property at no. 74 has extended to the rear. The proposed single storey rear extension will be a similar depth and will not have an adverse impact on the amenities of this property through overlooking, loss of privacy or overshadowing.

In relation to no. 78, no windows are proposed in the flank elevation of the side extension facing the neighbour and a condition is recommended to this effect. The proposal will therefore not result in a loss of privacy or overlooking.

SUMMARY
In summary, the proposed side extension will fill the width of the plot, appearing cramped and disproportionately large. It will therefore be detrimental to visual amenity and refusal is recommended on the following grounds.

HUMAN RIGHTS ACT

FOR REFUSAL
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 (insert number and description), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

1 The proposed two storey side extension, by reason of its siting and scale, would be an excessive width, appearing cramped and disproportionately large. The proposal would therefore be detrimental to visual amenity, contrary to policy DEV19 iii) and GEN7 of the Arun District Local Plan.