

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

**REF NO:** BE/143/14/HH

**LOCATION:** 32 Bronze Close  
Bognor Regis  
West Sussex

**PROPOSAL:** Two storey side extension

**SITE AND SURROUNDINGS**

|                                       |                                                                                                                                                                                          |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | The proposed two storey side extension measures approximately 3.4m in width, depth of 6m with a maximum height of 6.8m.                                                                  |
| SITE AREA                             | Approximately 162 square metres.                                                                                                                                                         |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A                                                                                                                                                                                      |
| TOPOGRAPHY                            | Predominantly flat                                                                                                                                                                       |
| TREES                                 | None affected by the proposed development.                                                                                                                                               |
| BOUNDARY TREATMENT                    | Front is open to the highway, close boarded fencing approximately 1.8m in height encloses rear garden.                                                                                   |
| SITE CHARACTERISTICS                  | End of terrace two storey property with detached single pitched roof garage on western side (to be removed). The property has red brick elevations, tiled roof with white window frames. |
| CHARACTER OF LOCALITY                 | Residential cul-de-sac comprising terraced and semi-detached two storey dwellings of similar style and design.                                                                           |

**RELEVANT SITE HISTORY**

|           |                                                |                                    |
|-----------|------------------------------------------------|------------------------------------|
| BE/19/02/ | Addition of new wooden garage to side of house | ApproveConditionally<br>08-04-2002 |
|-----------|------------------------------------------------|------------------------------------|

**REPRESENTATIONS**

**Representations received:**

Bersted Parish Council

No objection

2 Letters of Objection

Extension will block the sub from our garden.

No windows on the west elevation but will these be added at a later date.  
The rear north elevation window at first floor level will give rise to overlooking.  
The loss of the garage will create additional parking in the street.  
Noise from the building works.

**Comments on Representations received:**

Objection comments noted

With adequate distance to properties to the west it is not considered that this would create unacceptable overshadowing to recommend refusal.

If approved, a condition will be imposed that no windows be installed on the west elevation of the extension without the prior approval of the LPA.

It is not considered that the new window at first floor level on the rear would create unacceptable overlooking due to the existence of existing first floor windows.

The loss of the garage is considered acceptable due to the allocated parking space to the rear in the garage compound.

Inconvenience or other problems caused by building works is not a material planning consideration.

**CONSULTATIONS**

**Consultations responses received:**

None

**Comments on Consultation responses:**

None

**POLICY CONTEXT**

Designation applicable to site:

Built Up Area Boundary  
PDR - Open Plan Condition  
No Public Sewer

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan 2003: [DEV19](#)  
[GEN2](#)  
[GEN7](#)

[Publication Version of the Local Plan \(October 2014\):](#)

[Bersted Neighbourhood Plan 2014 Policy ES1](#)

Extensions to existing residential buildings  
Built-up Area Boundary  
The Form of New Development  
D DM1 Aspects of Form and Design Quality  
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)  
D SP1 Design  
SD SP2 Built-Up Area Boundary  
Design of new development

**PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

**POLICY COMMENTARY**

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

**Arun District Council's Development Plans:**

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

**The Neighbourhood Development Plan**

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The Bersted Neighbourhood Development Plan has been made and in this instance it is considered that policy ES1 applies.

**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 two storey extension on the side of the dwelling.

The end-of-terrace property is sited within a residential cul-de-sac and to the rear of the property is a garage compound. There is a detached pitched roof garage on the western side and this is to be removed to accommodate the proposed two storey extension. The extension will be set back from the front flank wall of the dwelling by approximately 3m and will be approximately 3.4m in width, depth of 6m. It will extend the kitchen accommodation at ground floor level with the provision of a utility and wc and the first floor accommodation will comprise a bedroom and bathroom. The roof line will be set lower than the existing and the materials to be used will match the Host dwelling. The loss of the garage is considered acceptable due to the existence of an allocated parking space to the rear in the garage compound.

With regard to residential amenity the properties to the west are sited approximately 10m away. The rear window at first floor level will serve a bedroom and with existing windows at first floor level it is not considered that this would give rise to unacceptable overlooking. There are no windows on the west side elevation of the proposal and, if approved, a condition will be imposed that no windows shall be constructed without the prior approval of the LPA. With adequate distance to neighbouring properties it is not considered that the proposal would create a loss of outlook or daylight to recommend refusal.

The extension is considered to be visually subservient to the host dwelling. Whilst the proposal will be readily visible in the street scene it is not considered that this would be obtrusive, nor would it have an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings.

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 received on 21st November 2014.

Location/Block Drg No P02 dt November 2014.  
Floor, Elevations & Roof Drg No P01 dt November 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 extension 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 shall be constructed in the west side elevation of the extension hereby permitted 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: Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site. Care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining land.

- 6 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.