

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

REF NO: BE/15/18/HH

LOCATION: 2 Homing Gardens
Bognor Regis
PO22 9AJ

PROPOSAL: Single storey rear extension & demolish & resite of rear conservatory. This application affects the character & appearance of the North Bersted Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to construct a single storey extension and to take down and resite an existing conservatory.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the site is open plan. The eastern boundary has significant hedging and trees whilst the south western boundary consist of a 2m brick wall with timber lattice on top.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow. It has a detached garage situated to the rear of the property.
CHARACTER OF LOCALITY	The area consist of a residential cul de sac with terraced houses of similar style.

RELEVANT SITE HISTORY

No relevant site history

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bersted Parish Council
Parish Council provided no objection
No representation from nearby occupiers

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

-It is likely to be barely visible from the Conservation Area and I believe there will be no discernible impact.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Conservation Area

Built up Area Boundary

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

GEN7	The Form of New Development
AREA2	Conservation Areas
GEN2	Built-up Area Boundary
DEV19	Extensions to existing residential buildings

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

HER DM3	Conservation Areas
SD SP2	Built -Up Area Boundary
D DM1	Aspects of Form and Design Quality
D SP1	Design
D DM4	Extensions & Alterations to Existing Buildings

[Bersted Neighbourhood Plan 2014 Policy ES1](#) Design of new development**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October

2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. The plan was subject to consultation until February 23rd 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

Bersted have a 'made' neighbourhood plan which has been a material consideration during the planning process. Policy ES1 are considered relevant to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING.

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

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan and Policy ES1 of the Bersted Neighbourhood Plan and the National Planning Policy Framework.

DESIGN AND RESIDENTIAL AMENITY

The proposal seeks to demolish and re-site the existing conservatory and construct a single storey rear extension.

The new extension and the re-sited conservatory will be situated to the rear of the existing dwelling and as such will not be visible from the street scene. The materials used will match that of the existing and due to the location and size, it is considered to appear subservient to the main dwelling. Therefore it is considered that the proposed extension will not have any unacceptably adverse impact upon the spatial pattern or character of the area and accord with DEV19 and GEN7 of the Arun District Local Plan.

The proposed development is also situated within a Conservation Area however as the proposals are not visible from the street scene and one of them is a replacement structure it is not considered to have an impact upon the character or appearance of the Conservation Area and therefore accord with Area 2 of the Arun District Local Plan.

RESIDENTIAL NEIGHBOURING AMENITY

The proposed extension will extend out from the rear wall to the same distance as the en-suite that currently exists at around 4.4m, whilst the re-sited conservatory is slightly smaller and will have a depth of around 3m.

The re-sited conservatory will be located around 4m behind the proposed rear extension along the rear wall of the dwelling and around 5.5m away from the eastern boundary. Due to the location of the proposed development and the significant hedging at the boundary there should be not be any adverse impact upon the neighbouring amenity. The boundary to the south consist of a garage access road and a 2m high boundary wall and therefore again is not considered to give rise to any adverse impacts upon the neighbouring amenity.

By virtue of its single storey construction and location, it is not considered to give rise to any overlooking, overshadowing or overbearing impacts upon the residential amenity and accord with policies GEN7 and DEV19 of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

FOR APPROVAL

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 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 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).

The proposal would have a neutral impact on the protected characteristics.

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 Plan
 - Block Plan
 - Existing Ground Floor Plan - 300118pl2
 - Proposed Ground Floor Plan- 300118pl5
 - Existing Elevations- 300118pl1
 - Proposed Elevations - 300118pl3
 - Proposed Elevations, Sections and Roof Plans - 300118pl4

 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 roofs of the buildings 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 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.