

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

REF NO: BE/3/14/

LOCATION: 52 Newtown Avenue
Bognor Regis

PROPOSAL: Two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The two storey side extension will be set back from the front building line by 30cm and from the rear two storey building line by 30cm (noting that there is an existing single storey rear extension projecting beyond the rear of the house). Furthermore, the roof is to be approx. 0.25cm lower at eaves level and 0.5m lower at ridge level. It is proposed to use matching red bricks, render and clay tiles. The extension will provide a new sitting room & bathroom at ground floor and a study and enlarged bedroom 3 at first floor.

SITE AREA

N/A.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A.

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Part 1.7m, part 1m high fence between 52 and 54. Open to the front.

SITE CHARACTERISTICS

End house of a 4 house terrace. There is a 2.4m gap to the shared boundary with 54. There is a side parking space (to be lost) and also parking for 1-2 cars within the front hard surfaced garden.

CHARACTER OF LOCALITY

No. 54 Newtown Avenue has the same design and shape as 52. It has a high level obscure glazed bathroom window at first floor on the flank and then a stairway/landing window between the ground and first floors also on the flank.

The streetscene is made up predominantly of a mix of small terraces of either 4 or 8

dwellings and with a few semi-detached dwellings. All of the dwellings in the street have the same design and style and whilst there were no other examples of two storey side extensions in the streetscene, there were a number of single storey side extensions.

RELEVANT SITE HISTORY

Pre-Application advice was given in September 2013 to the same proposal as per the current application. The advice was: "Notwithstanding the above comments, it is clear that the two storey side extension has been designed in such a way as to ensure that it is viewed as a subservient addition to the existing dwelling. On this basis (and given the need for additional space within the dwelling), it is considered that if a planning application were submitted for the current proposal then it could be recommended for approval".

REPRESENTATIONS

Representations received:

Bersted Parish Council

Bersted Parish Council - No Objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water - request a standard informative regarding connections to the public sewer.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary; and
Public Sewer on Site.

DEVELOPMENT PLAN POLICIES

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

[Publication Version of the Local Plan -
Excluding the Spatial Portrait, Employment,
Housing Allocations, Transport, Monitoring and
Implementation sections \(February 2014\):](#)

Extensions to existing residential buildings
The Form of New Development

D DM1 Aspects of Form and Quality
D DM4 Extensions & Alterations to Existing
Buildings
ECC SP1 Adapting to Climate Change

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 agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

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 once the remaining chapters / policies have been published.

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 is it considered to have any adverse impact upon the

established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that the small size of the dwelling and the need to provide additional family accommodation is a material consideration in the determination of this application.

CONCLUSIONS

Policy DEV19 requires that extensions be visually subservient, sympathetically relate to and visually integrate with the existing dwelling. Extensions must also avoid adverse impacts to neighbouring properties and must not compromise the established street pattern.

The proposal is to add a two storey side extension to the property. However, whilst this will only be 0.5m from the shared boundary, it has been designed to be subservient to the existing building. It is set back at both front, rear and from the main roof. This is considered sufficient to prevent any terracing effect should the neighbouring property do something similar.

There may be some loss of light to the flank windows in the neighbouring dwelling but these do not serve principal rooms and the proposed flank bathroom window will be obscure glazed to prevent any overlooking. The proposal does not add a new bedroom but rather enlarges an existing. Therefore, whilst one parking space is lost from the side, given the parking within the front, it is not considered that the proposal will give rise to any greater conflict for parking than this busy street already includes.

It is recommended that permission is granted subject to the following 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 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 ADS-002; SITE PLAN ADS-003; EXISTING PLANS ADS-004; and PROPOSED PLANS ADS-005 B.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls (brick & render) 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 The proposed bathroom windows on the first floor flank wall facing no. 54 shall at all times be glazed with obscured glass and fixed to be top vent opening only.

Reason: To protect the amenities and privacy of the neighbouring 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.

- 6 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.