

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

REF NO: BE/5/18/HH

LOCATION: 463 Chichester Road
Bognor Regis
PO21 5EB

PROPOSAL: First floor side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed extension measures approximately 3.1m wide, 8.3m long and 5.2m high to eaves level. The roof will be hipped and would merge into existing roof and ridge height.
	Materials would match the existing property.
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	To the front of the property there is a fence along the side boundary approximately 1.5m high. To the rear there is also fence of similar height, although there is mature planting and trees on the boundary within the adjoining property.
SITE CHARACTERISTICS	The application site comprises a semi detached two storey property constructed of brick and painted render beneath a tile roof. The house has a single storey rear and side extension and attached single storey garage. The property is set well back from the road with parking to the front.
CHARACTER OF LOCALITY	Residential comprising properties of a similar scale and size.

RELEVANT SITE HISTORY

BE/42/03/	Demolition of single storey rear extension to be replaced with proposed rear and side extension. Demolition and relocation of single attached garage	ApproveConditionally 30-06-03
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There is a single storey rear extension approved in 2003 although this is not of direct relevance to the current planning application.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bersted Parish Council

Bersted Parish Council has no objection.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

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

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

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

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

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

NPPF	National Planning Policy Framework
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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. A consultation into the proposed modifications ended in mid February 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).

The relevant policy in the Bersted Neighbourhood Plan has been taken into account in the determination of this application.

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 dwelling is located within the built-up area boundary in an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed first floor side extension is sited on the north elevation of the house fronting Chichester Road. It would be built over the existing side extension and garage would be built up to the front and rear elevation of the main house. The proposed extension would be set in from the side boundary with No.465 by approximately 1m for its whole length. The resultant development would be set back from the front boundary by approximately 10.5m

The extension will be clearly visible from the road. However, given its size and the design, to provide a hip roof similar to the existing, the proposed extension appears subordinate to the main house. The proposed development retains a gap between the side of the house and the side boundary of approximately 1m and is, therefore, not considered harmful to the character and appearance of the area or the host property.

With regard to the amenity of adjoining occupiers due to the position of the two storey side extension there will no impact upon the amenity of adjoining occupiers at No.461 With regard to No.465 the proposed extension has one window to a bathroom window at first floor level. This can be subject to a condition for obscure glazing and also a condition to control any future windows is considered appropriate. The proposed rear window does give increased views of the rear garden of No.465 but is not considered to be sufficiently harmful to merit refusal on this point. Therefore, there is no loss of privacy to the adjoining occupiers.

The proposed extension would be 1m from the side boundary with No.465 which has a single storey garage close to the boundary. Given the separation distance of the proposed extension to the main house at No.465, between 6 and 10m it is not considered that the development will be unduly dominant upon or lead to a loss of outlook to the occupiers of No.465.

Therefore, in summary, it is not considered that there would be any adverse harm to the living conditions of neighbouring properties, the character of the area or highway safety. The proposed development therefore complies with adopted policies in the Arun Local Plan 2003 and the Bersted Neighbourhood Development Plan.

It is therefore recommended that permission be granted subject to the following conditions.

HUMAN RIGHTS ACT

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 P01,S01, S02, P02 & P03.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policyGEN7 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 The window on the first floor north west elevation of the building shall at all times be glazed with obscured glass and only openable at a high level at least 1.7m above finished floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.
- 5 No windows (other than those shown on the plans hereby approved) shall be constructed in the north west elevation of the extension hereby permitted which adjoins the side boundary with 465 Chichester Road 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.
- 6 **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.