

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

REF NO: BE/73/13/

LOCATION: 1 Romney Broad Walk
Bognor Regis

PROPOSAL: Various extensions and alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The extensions and alterations comprise the following: (a) Extend the front west side of the building to be in line with the main back west side of building - essentially this involves filling in an existing lean to side extension so as to make it part of the actual house; (b) Relocating the front doors from the west side of building to a central position on the front; (c) The current garage on the left of the building will then be extended west as per (a) which will then become a bedroom and the eastern side of the garage and part of the front bedroom east of the garage will become the main front entrance; (d) Rear windows to the lounge to be changed to a single set of French doors with two single windows each side of them; and (e) A conservatory to the rear of the house on the rear west side. The conservatory will measure 3.6m by 3.5m by 2.8m high (to the pitch). The side front extension will involve an area of 6.4m by 1m with no change to the established front or side building lines
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a part 1.8/1.9m, part 2m fence to no. 19 Fairlands and a 2m high fence to no. 3 Romney Broad Walk.
SITE CHARACTERISTICS	This is a pitched single storey semi-detached bungalow with own garden. The west side of the property borders with the rear of 19 Fairlands, also a pitched roof bungalow. No. 3 Romney Broad Walk is the mirror image of no. 1 but has a lean to sun lounge structure on the rear closes to the boundary (this is an open structure of a corrugated clear

plastic roof with 4 supports). The rear facing window closest to the boundary on no. 3 is a lounge/dining room. No. 19 Fairlands has several windows along its rear but all are screened by the boundary fence.

CHARACTER OF LOCALITY

Residential area characterised predominantly by single storey low pitched bungalows.

RELEVANT SITE HISTORY

No site history.

REPRESENTATIONS

Representations received:

Bersted Parish Council

Bersted Parish Council - no objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICIES

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

The Form of New Development
Extensions to existing residential buildings

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 214 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 published the Draft Arun Local Plan in July 2012 and this is a material

consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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

Policy DEV19 requires that extensions be visually subservient to the existing building and do not have any adverse impacts on neighbouring properties. Also extensions must reflect the existing streetscene.

The proposed side extension does not materially alter the width of the dwelling nor extend it further forward. It essentially fills in an existing corner. The changes to the front of the dwelling are not considered to be detrimental to the streetscene and the loss of the garage is acceptable given that there are 2 off street spaces in the front garden. The rear conservatory does not impinge on a 45 degree angle drawn from the neighbours rear lounge/dining room window and the existing boundary treatments protects against any loss of privacy to neighbouring windows.

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: 1:1250 Location Plan; 1:200 Block Plan; 1:100 Proposed Floor Plan; 1:100 Existing Floor Plan; 1:100 Existing & Proposed Elevations; 1:100 Existing & Proposed West Elevations; and 1:100 Existing & Proposed North Elevations.

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 of the extensions 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 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.