

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

REF NO: BE/81/12/

LOCATION: 46 Greencourt Drive
Bognor Regis

PROPOSAL: Build above existing garage to form a first floor extension to be used as a bedroom. Construct a new conservatory to the kitchen patio area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed first floor addition measures approximately 2.8m in width, depth of 6.2m with a maximum height of 8m. The proposed conservatory measures approximately 2.8m in width, depth of 5.2m and a height of 3.5m.
SITE AREA	Approximately 625 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall approximately 1m in height, rear and side boundaries close boarded fencing + hedging approximately 1.8m-2m in height.
SITE CHARACTERISTICS	Semi-detached property with attached garage on southern side. The property has reddish/brown brickwork, render on upper level on rear elevation, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising predominantly semi-detached properties of similar style and design.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Bersted Parish Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:
Built Up Area Boundary

The Emerging Arun District Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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.

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 site is located within the built up area where the principle of development is deemed to be acceptable, subject to it complying with relevant planning policies. In this instance, the main considerations are set out in Arun District Local Plan policies GEN7 and DEV19 which aim to prevent development that is unduly harmful towards the character and appearance of its

surroundings or towards the amenities of neighbouring properties.

Greencourt Drive has predominantly semi-detached dwellings and is not characterised by well spaced properties. Many of which have been subject to some alteration, mainly in the form of single storey rear extensions. The existing dwelling has an attached garage sited on the southern side and the application seeks to construct a first floor extension above this structure with a single storey conservatory on the rear. The two storey element will be approximately 2.8m in width, depth of 6.2m with a height of 8m. The proposed conservatory sited to the rear of the two storey element will project forward of the rear flank wall by approximately 1m and will be approximately 2.8m in width, depth of 5.2m with a height of 3.5m. The proposed two storey extension has been designed to compliment the existing dwelling in terms of design and scale with the roof height being set lower than the main ridge height and is visually subservient.

The proposal would be sited approximately 12m from the neighbouring property to the north No 48 and set behind the existing dwelling so will not be readily visible to the occupiers of this property. The neighbouring property to the south No 44 has recently constructed a first floor extension which is supported on piers and this is sited approximately 1.1-2m from the proposal. This addition has no windows on the side elevation and the proposal has no windows on the side elevation fronting No 48. Therefore it is not considered that the proposed development would have a materially adverse impact on the visual or residential amenities of the occupiers of the neighbouring properties by means of overbearing affect or loss of outlook.

Many of the properties in Greencourt Drive have garages to the sides and retain a gap at first floor level. However, due to the previously constructed first floor extension at No 44 it is accepted that the proposal would erode the existing gap at first floor level between Nos 44 and 46 but would still retain a gap of 1.1m-2m which would not create a terraced affect. On balance it is considered that the proposal would have a limited impact on the existing pattern of the street and surrounding residential area.

Taking this into account it is therefore recommended that the application be approved, subject to 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 (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: Site 1:1250/Location 1:500, Existing/Proposed Rear Elevation, Existing/Proposed Roof Plan Drg No 1201-04 Rev B, Floor, Proposed Front and South Side Elevation Drg No 1201-05 Rev B, Existing/Proposed North Side Elevation Drg No 1201-06 received on 24th May 2012.

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 No windows (other than those shown on the plans hereby approved) shall be constructed in the south side elevation of the extension hereby permitted which adjoins the side boundary with No 44 Greencourt Drive 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.

- 4 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 policy GEN7 of the Arun District Local Plan.

- 5 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.