

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

REF NO: BR/118/14/HH

LOCATION: 99 Hook Lane
Bognor Regis

PROPOSAL: Front extension and new roof to garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed front extension measures approximately 6.2m in width, depth of 5.1m with a height of 4.4m.

The new roof on the garage will increase the overall height from 2.4m to 2.7m.

SITE AREA

Approximately 390 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Front has driveway with ranch type gates and close boarded fencing 1.8m in height, west side boundary close boarded fencing 1.8m in height, east side boundary close boarded fencing/hedging and tree screening over 2m in height.

SITE CHARACTERISTICS

Detached bungalow which has been extended on the rear with flat roof garage on western side. The property has white render on the front elevation, white window frames with a clay tiled roof.

CHARACTER OF LOCALITY

Residential road comprising a mixture of bungalows and two storey properties of various styles and designs. Public footpath to east of site.

RELEVANT SITE HISTORY

BR/218/02/

To extend the rear of the bungalow and garage.

ApproveConditionally
20-09-2002

BR/437/04/

Conservatory

ApproveConditionally

25-01-2005

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Environment Agency

Consultations responses received:

Environment Agency

We have no comments to make on the proposal.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [DEV19](#)
[GEN2](#)
[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
Built-up Area Boundary
The Form of New Development

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

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 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 application seeks to construct a single storey front extension and replace the existing garage roof.

The detached bungalow is sited at the far end of Hook Lane and is the last property and to the

east of the site is a public footpath. The proposed front extension will be sited approximately 5.3m from the front boundary and will be the whole width of the property 6.2m, depth of 5.1m and the roof line will follow the line of the existing roof to a height of 4.4m. It will be rendered to match the existing front elevation and the upper level will have white weatherboarding.

The attached garage which is sited on the western side of the dwelling has a flat which is slightly lower to the rear. A new roof is proposed and this will increase the overall height from 2.4m to 2.7m and the overall appearance will be the same as the existing.

With regard to residential amenity the neighbouring property to the west No 97 is sited approximately 5m away and the proposed extension is set forward of this property. With adequate distance to this property it is not considered that the proposal would create harmful overshadowing or loss of outlook to recommend refusal. The eastern side boundary to the public footpath is well screened by fencing/hedging and tree screening so the proposed extension will not be readily visible.

The extension is considered to be visually subservient to the host dwelling. It would not have a significant impact on the visual amenities of the locality or have an adverse impact on the residential amenities of the occupiers of the neighbouring dwelling.

It is therefore recommended to approve the application, subject to 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 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:

Location 1:1250, Existing/Proposed Site 1:200 Drg No 0120-DPA-01 dt April 2014.

Existing/Proposed Floor 1:100 Drg No 0120-DPA-02 dt April 2014.

Proposed Elevations 1:100 Drg No 0120-DPA-04 dt April 2014 received on 27th May 2014.

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 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 **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.