

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

REF NO: BR/136/12/

LOCATION: 9 Waverley Road
Bognor Regis

PROPOSAL: Loft conversion with front and rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed loft conversion to provide 3 no. bedrooms and bathroom within the roof space with the construction of a pitched roof dormer to the front and rear and the installation of 3 no. roof lights.
SITE AREA	Approximately 435 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 boundary has close boarded fencing + screening approximately 2.5m in height, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with rear conservatory. The property has rough rendered walls painted white, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential road comprising detached bungalows, chalet and two properties of various styles and designs.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council
Awaited.

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
No Public Sewer

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

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 application seeks to convert the existing roof space to create three no bedrooms and a bathroom with the provision of a dormer and rooflight on the front, rear dormer and rooflight and rooflight on the east side elevation.

The proposed pitched roof dormers each measure approximately 2.2m in width, depth of 1.7m

with a height of 2.5m. The dormers are considered to be of an acceptable size and height that are not considered to be out of keeping with the host dwelling. The roof light on the eastern side serves the bathroom and, if approved, a condition will be imposed that this be obscure glazed.

With regard to residential amenity it is considered that the rear dormer has the potential for overlooking to the rear amenity area of the neighbouring properties but it is not considered that this would be of an unacceptable level to recommend refusal. It should be noted that a rear dormer of this size could be constructed under "Permitted Development" without the need for a formal planning application.

The neighbouring property at No 5 has a front dormer of a similar style and size. The front dormer being readily visible to the front of the site is not considered to be of an obtrusive nature, nor would it harm the established character and pattern of the street scene and surrounding residential area.

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: Location/Site/Existing Floor & Elevations Drg No 1A, Proposed Ground & First Floor/Elevations Drg No 2A received on 18th June 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 The materials and finishes of the external walls and roof of the dormers 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.

- 4 The roof light on the side elevation serving the bathroom shall at all times be glazed with obscure glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 & DEV19 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.