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

REF NO: **BR/160/12/**

LOCATION: 33 Highland Avenue
Bognor Regis
West Sussex

PROPOSAL: Single storey side and rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application seeks consent for a single storey side and rear extension (4 x 8.7 x 3.2 metres).
SITE AREA	Approximately 370 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGROPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front boundary, 1.5 metre high hedge; side boundary to no.31 1.8 metre high fence; side boundary to no. 35 s/storey side shed/outbuilding, vegetation and 1.5 metre high fence; rear boundary is fencing, 1.8 metres high.
SITE CHARACTERISTICS	Semi-detached two storey 1930s style dwelling, faced in brown pebbledash with hipped, tiled roof, bay window and gable to front.
CHARACTER OF LOCALITY	Residential road comprising 1930s semi-detached two storey dwellings.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary
No public sewer

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

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 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 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

DESIGN
The proposed single storey extension will wrap around the side and rear elevations of the dwelling, projecting to a depth of 4 metres, at a width of 8.7 metres. The extension will project up to the side boundary adjoining no. 31 under a flat roof with decorative brick band and glazed roof lantern at the rear. The proposed extension will measure 3.2 metres in height.

Although the extension will fill the width of the plot (8.7 metres), it is single storey and will be visually subordinate to the main dwelling. The addition of the decorative brick band, glazed roof lantern and bi-folding foors on the rear elevation will add visual interest and break up the expanse of brickwork. Subject to the use of matching external materials, the proposal is an appropriate design that visually integrates to the host dwelling.

VISUAL AMENITY
With regard to visual amenity, the proposed extension will have a very limited impact on the streetscene, being mainly to the rear. The side element of the extension will be visible from Highland Avenue, but is visually subordinate and maintains the existing building line. Further, single storey side extensions/garages are a feature of the streetscene.

RESIDENTIAL AMENITY
With regard to residential amenity, the adjoining property to the rear at no. 31 has a single storey rear mono pitch extension abutting the common boundary. The proposed rear extension will project beyond the neighbour's rear extension, but will not breach the 45 degree from the mid point of the nearest ground floor window. The side boundary is high fencing that will provide screening and prevent loss of privacy.

With respect to no. 35 to the west/northwest, the proposed extension will project up to the common boundary, which comprises a low fence and vegetation. A condition is recommended to control the insertion of windows/openings in the side elevation adjoining the neighbour to prevent overlooking/loss of privacy. The proposed extension will not conflict with the 45 degree line taken from the mid point of the nearest ground floor habitable window of no. 35 (kitchen), and, as such, there will no loss of daylight or adverse impact on the residential amenities of the neighbouring property.

It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 to 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 (Neutral) 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).

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 Plan, Block Plan, drawing LH01 Existing Layout Plans and Elevations, drawing LH02 Proposed Layout Plans and Elevations, received on 9 July 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 northwest elevation of the extension hereby permitted which adjoins the side boundary with no.35 Highland Avenue 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 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: GEN7, GEN2, DEV19

NATIONAL POLICIES: National Planning Policy Framework (2012)

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