

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

REF NO: BR/214/12/

LOCATION: 66 Ockley Road
Bognor Regis

PROPOSAL: Single storey flat roof extension to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a single storey flat roof rear extension.
SITE AREA	Approximately 322 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1 metre high wall to front supplemented by shrubs. 1.5-2.5 metre high hedging to side and rear boundaries.
SITE CHARACTERISTICS	End of terraced, two storey dwelling faced in rough cast render painted white, with front porch. Hip, pitch tiled roof. Corner plot. No off street parking.
CHARACTER OF LOCALITY	Bognor Regis town centre, characterised by rows of two storey terraced properties and three storey flats.

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:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary

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

DESIGN AND VISUAL AMENITY

The application seeks consent for a single storey flat roof rear extension. The proposed extension will project to a depth of 4.4 metres at a width of 6.8 metres, height 2.7 metres. The extension will be faced in white render with a bitumen felt tiled roof. Three rooflights are proposed with glazed patio doors/windows on the rear elevation.

The extension will replace an existing single storey mono pitch rear extension, which is set back from the side boundary. The replacement extension will occupy a larger footprint at a width of 6.8 metres. The materials and scale of the proposed extension are considered acceptable, and visually subordinate to the host dwelling.

The property is an end of terrace dwelling located on a rectangular corner plot. The surrounding area is characterised by high density flats and rows of terraced properties. The rear extension will have no visual impact on the streetscene. It is not considered to compromise or harm the spatial character of the surrounding area.

RESIDENTIAL AMENITY

With regard to residential amenity, the proposal will have no adverse impact on the properties to the north and west (rear). There is mature planting on the boundaries and ample separation will be retained to properties to the north at 68-70 Ockley Road.

In relation to no. 64 to the south, mature vegetation/shrubs form the common boundary. The proposed extension will be sited within 100mm of the boundary, at a height of 2.7 metres, projecting to 4.4 metres. As such, it will technically breach the 45 degree line taken from the nearest ground floor window of the neighbouring property, which appears to be a habitable room. The outlook and daylight to the neighbour's window is currently restricted by dense, mature vegetation, which forms the common boundary, beneath which is a block wall. Therefore, refusal based on loss of daylight is unwarranted in this instance given the presence of dense screening. A condition is recommended to prevent windows / openings in the flank elevation of the extension adjoining the neighbouring property, in order to prevent overlooking/loss of privacy.

SUMMARY

In summary, it is 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: drawing 12008/01R3 Existing and Proposed Floorplans, Elevations, Sections, Location and Block Plan, received on 21 August 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 elevation of the extension hereby permitted which adjoins the side boundary with no. 64 Ockley Road 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 policies DEV1 of the West Sussex Structure Plan and 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: 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.

- 6 INFORMATIVE: Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining property.