

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

REF NO: BR/22/15/HH

LOCATION: 47 Orchard Way
Bognor Regis

PROPOSAL: Retention of pitched tiled roof to existing flat roofed workshop

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application relates to a part built rear outbuilding at this site. The submitted application indicates that the proposed building would be used as a domestic workshop. It is located at the bottom of the garden area to the rear (south-east) of the dwelling, in close proximity to the rear and side boundaries.

The footprint would be generally rectangular, although narrowing slightly to the rear of the building. Width would vary between 4.6m and 3.5m and the building would be between 0.3m and 0.5m from side boundaries and 1.3m and 0.3m from the rear boundary.

Eaves level would be 2m and ridge level would be a maximum of 3.9m facing the dwelling. The ridge would slope down slightly away from the house and towards the adjacent allotments to a level of 3.5m.

The building would be constructed of blockwork which is to be rendered and painted on the side elevations. To the front and rear, the walls would be horizontally timber clad. The roof would be tile.

Eaves level would be approximately 200mm above the adjoining wooden panel fencing to the side and to the rear.

SITE AREA

The site area is approximately 0.05 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The area is a relatively low density one and has been developed with a mixture of mainly two storey dwellings, but also bungalows. The rear of the pairs of bungalows to the east and south east face towards the rear garden of the

TOPOGRAPHY	application dwelling. Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The rear boundaries of the site are comprised of 1.8m wooden panel fencing.
SITE CHARACTERISTICS	The site is occupied by a two storey semi-detached dwelling. This has an integral garage with front and rear garage doors. To the front there is a gravelled parking area. At the rear of the site are allotments. to either side are the gardens of adjoining dwellings.
CHARACTER OF LOCALITY	The general character of the area is residential.

RELEVANT SITE HISTORY

BR/9/08/	Side two storey extension	ApproveConditionally 28-02-2008
----------	---------------------------	------------------------------------

None.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council raises no objection.

No representations have been received from adjoining or nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)

Built-up Area Boundary
The Form of New Development

[DEV19](#)

Publication Version of the Local
Plan (October 2014):

Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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 on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Bognor Regis has submitted its Neighbourhood Plan to the Council and consultation on this is

report

taking place between 1st April 2015 - 13th May 2015. The Plan makes no specific provisions for the application site.

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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the a building located at the very rear of this plot and covering only a limited part of the undeveloped area. Eaves height would only be marginally more than the level of the existing fence and what would be seen would be the roof, which slopes away from the boundaries. The ridge line would vary between 1.1m and 0.7m above fence level. In addition, the building enjoys good separation from existing surrounding dwellings.

It is therefore considered that the proposed dormers and velux roof lights are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

For the reasons given immediately above, there will only be a very limited impact on the amenity of adjoining occupiers. There will be a marginal impact on outlook and none on light or on privacy.

The use of the outbuilding is domestic and ancillary to the main house.

The proposed building is considered not to result in any significant harm and it is therefore recommended that the application be approved, subject to the following 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 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

In assessing this proposal the following impacts (negative, Neutral or positive) 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 drawing:

DPA-01 Revision 00, Dated Jan 2015

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 Within 2 months of the date of the planning permission hereby granted a detailed schedule of materials and finishes to be used for external walls roof of the proposed building has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building. No further works/development shall be carried out unless and until the detailed schedule has been approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in

accordance with policy GEN7 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.