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

REF NO: **BR/234/12/**

LOCATION: 20 Mayfield Road
Bognor Regis

PROPOSAL: Single storey porch extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey porch extension measures approximately 2.4m in width, depth of 0.9m with a maximum height of 3.3m.
SITE AREA	Approximately 312 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is open to the highway, west side boundary has close boarded fencing approximately 1.5m in height, east side boundary has close boarded fencing + trellis approximately 1.8m in height.
SITE CHARACTERISTICS	Detached chalet style property with side dormers. The property has smooth rendered walls painted cream, side dormers have cream weather boarding, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising chalet and semi-detached bungalows, two storey dwellings of various styles and designs.

RELEVANT SITE HISTORY

BR/173/11/	Loft conversion incorporating new dormers	ApproveConditionally 22-09-2011

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

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

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	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

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 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraphs 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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 Frameowrk. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies 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

The application seeks to construct a single storey porch on the front of the dwelling.

The front boundary is open in appearance and the proposed porch will be sited approximately 2m from the front of the site. The existing property has a canopy that is sited along the front elevation and the proposed porch which has a hipped roof will be of the same height and appearance as this structure. The porch measures approximately 2.4m in width, depth of 0.9m with a maximum height of 3.25m.

Due to its minimal size it is not considered that the development would affect the residential amenities of neighbouring properties by way of overbeaqring affect or loss of outlook. It is considered that the proposal is visually subservient to the host dwelling and would not be out of character and appearance within the street scene or surrounding residential area.

For the above reasons it is recommended for approval, 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 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: Site 1:1250, Block 1:500, Proposed Floor 1:50, Proposed Elevations 1:100 received on 10th September 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 porch hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policiy GEN7 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: 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.