

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

REF NO: BR/236/13/

LOCATION: 2 Brooksmead
Bognor Regis

PROPOSAL: Replacement single storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension measures 6.93 metres in width by 3.965 metres in depth. Roof ridge height will match that of the existing roof.
SITE AREA	Approximately 511 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Western (front) and southern boundaries are open plan. Eastern boundary is marked by approximately 1.2 metre high timber fencing whilst part of the northern boundary is marked by a stepped height brick wall.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling that has yellow brick elevation walls, with painted render panels in places, and a tiled, gable ended roof. A flat roof garage extension has been added to the northern elevation. A single-storey gable roof extension has been added to the southern elevation.
CHARACTER OF LOCALITY	The site is located on a residential road that is lined by detached bungalow dwellings which have shallow pitched roofs and are of a modest height. Buildings are set back from the road with open frontages helping to generate an open and spacious character and appearance.

RELEVANT SITE HISTORY

BR/657/76	Bedroom extension	ApproveConditionally 25-11-1976
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REPRESENTATIONS

Representations received:
Bognor Regis Town Council
No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

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

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.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 proposed extension is of almost matching design and scale to the feature that it will replace with a marginal increase in its depth being the only significant alteration. Its appearance within the street scene will therefore be largely identical to that of the existing extension and, as such, it is considered that it will appear in keeping with its surroundings. The open frontage and space around the dwelling will be maintained and, therefore, the open and spacious character of the surrounding area will not be compromised or disrupted.

It is considered that the proposed works will relate sympathetically towards the existing dwelling in terms of design and scale. The height of the extension will match that of the existing building whilst its footprint will be smaller, therefore ensuring that visual subservience towards the host dwelling is maintained. The gable roof design mimics that of the existing roof, the eaves and ridge height of the new roof will also match those of the existing roof. This design will result in the extension assimilating effectively with the host dwelling by appearing as a natural continuation of its existing form.

The proposed extension will reach marginally closer to the eastern site boundary than the existing extension. Part of the extension will run parallel to the western elevation wall of the neighbouring property, No. 95 Hook Lane, which contains a number of ground floor windows. It should be noted that the existing extension also runs parallel to the neighbouring property for a similar, but slightly shorter, distance. However, the distance of 2.77 metres maintained between the extension and the boundary, coupled with its modest height, will prevent it from appearing overbearing towards the neighbouring dwelling or from producing undue levels of overshadowing. Windows will be installed on the southern and western elevations and will look towards the road on Hook Lane and Brooksmead respectively and, as such, will not be invasive towards neighbouring residential property.

It is therefore recommended that the application is 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 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 it has been determined that its approval would not result in any negative impacts 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).

As a result, no mitigation measures will need to be implemented.

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 1231 02 A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 **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.