

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

REF NO: BR/258/14/HH

LOCATION: 221 Hawthorn Road
Bognor Regis

PROPOSAL: Removal of existing rear conservatory and replace with new glass and timber extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The rear extension measures approximately 5.090m in width, maximum depth of 4.605m with a height of 2.7m.
SITE AREA	Approximately 715 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Rear and side boundaries close boarded fencing approximately 1.8m in height supplemented by hedging.
SITE CHARACTERISTICS	Detached property with tiled canopy over front entrance, attached flat roof garage. Conservatory on the rear the subject of this application. The property has red brickwork on lower level with render above, tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential road comprising detached properties on east side, surgery to west of site. Properties opposite in Monterey Gardens are two storey terraced. Bognor Regis Football Ground to rear of site.

RELEVANT SITE HISTORY

BR/108/08/	Partial change of use of residential property (two bedrooms) for a bed & breakfast service.	ApproveConditionally 03-06-2008
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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

Class C Road

No Public Sewer

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
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality	
	D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)	
	D SP1 Design	
	SD SP2 Built-Up Area Boundary	

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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton

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 retrospective application is for a rear extension.

The extension has been erected on the rear in the centre of the dwelling and replaced a conservatory. The construction which is of brick, timber with a glass roof measures approximately 5.09m in width with a maximum depth of 4.605m and flat roof is to a height of 2.7m. The extension is considered to be visually subservient to the host dwelling.

The extension being set behind the kitchen extension will not be visible to the neighbouring property to the east No 219. The neighbouring property to the west No 223 is sited approximately 6m away. Due to the orientation of this property the extension is set back from the rear flank wall of the property so it is not considered that the extension creates a loss of outlook to the occupiers.

Due to its rear location the extension is not visible in the street scene, nor does it harm the established character and appearance of the surrounding residential area.

The application is recommended for approval.

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

- 1 The plans hereby approved were received on the 15th October 2014.

Location & Block Plan Drg No 01 dt 2.10.14.
Proposed Ground & First Floor Drg No A104 dt 7.10.14.
Proposed Elevations Drg No A102 dt 7.10.14.
Existing/Proposed Roof Drg No A105 dt 7.10.14.

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.

- 2 **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.