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

REF NO: **BR/288/13/**

LOCATION: 51 Victoria Road
Bognor Regis

PROPOSAL: Proposed rear kitchen extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension measures approximately 4.1m in length, approximately 2.6m in depth and approximately 2.6m in height. It is currently being constructed with brickwork elevations to match existing and there will be a flat felt roof.
SITE AREA	Approximately 490 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To front, a brick wall at approximately 0.3m in height and 1m at the piers. To rear, close boarded fencing at approximately one metre in height along the northern boundary.
SITE CHARACTERISTICS	A detached chalet bungalow with brown brick elevations and a hipped roof with brown pantiles. There is a bay window and dormer to front and a dormer to side (north). There is a PVCu conservatory to side (north) and a single storey rear extension.
CHARACTER OF LOCALITY	Predominantly residential in character, there are two storey detached and semi-detached properties. There is a block of flats and garage compounds to the south and west of the site.

RELEVANT SITE HISTORY

BR/641/76	New dormer to new bedroom garage & lounge & utility room extension to rear	ApproveConditionally 25-11-1976

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Economic Regeneration

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary

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

	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.

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 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 Arun District Local Plan Policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY
This application seeks planning permission for a single storey rear extension with a flat roof. It is currently being constructed and is attached to the side wall of an existing single storey extension. The new extension matches the existing one in its ridge and eaves heights as well as blending in sympathetically in its use of matching brickwork which is also used on the property. Therefore, the extension is judged to be in-keeping with the host property and is consistent with the residential character observed in the area.

The extension is therefore considered to comply with policies GEN7(ii) and DEV19(i) of the Arun District Local Plan.

RESIDENTIAL AMENITY
The extension is located in a broadly central position within the rear elevation of the property. Owing to its single storey nature and acceptable distances retained to the rear boundaries, it is not considered to cause any harmful residential amenity effects. Consequently, the proposal is considered to comply with policies GEN7(iv) and DEV19(iii) of the Local Plan.

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 family and private 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 approved shall be carried out in accordance with the following approved plans: drawing numbers: 5001/01 (Location and block plans), 5001-2 (Existing floor plan), 5001-2 (Existing elevations), 5001-5 (Proposed floor plan) and 5001-5 (Proposed elevations) all dated October 2013.

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.

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.