

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

REF NO: BR/302/13/

LOCATION: 6 Newhall Close
Bognor Regis

PROPOSAL: Two storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed two storey extension measures approximately 4.46m in width, depth of 8.71m with a maximum height of 6.5m.
SITE AREA	Approximately 580 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, rear and sides close boarded fencing + hedging approximately 1.8m-2m in height.
SITE CHARACTERISTICS	Detached bungalow located on corner site with dormers and roof lights. Detached garage on north side. The property has red brickwork, white window frames with a concrete tiled roof.
CHARACTER OF LOCALITY	Cul-de-sac comprising bungalows and chalet style properties of similar style and design.

RELEVANT SITE HISTORY

BR/362/10/	Single storey conservatory extension, with loft conversion on first floor incorporating new dormers and roof lights.	ApproveConditionally 07-02-2011
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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
PDR Open Plan Condition
Tree Preservation Order
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

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 detached property is sited within a residential cul-de-sac in a corner position and the application seeks to remove the existing conservatory on the south side and construction of a two storey extension.

The proposed extension will be set in slightly from the front and rear elevations and will be no higher than the existing roof height. It will measure approximately 4.46m in width, depth of 8.71m and a maximum height of 6.5m. A front and rear dormer is proposed and this will replicate the existing front and rear dormers in size and design. It is considered that the extension by reason of its size and height is visually subservient to the host dwelling.

The property to the north No 2 Newhall Close is sited approximately 25m away. The rear dormer may have the potential for overlooking onto the rear garden but with a considerable distance to this property it is not considered to be of an unacceptable level. The neighbouring bungalow to the south No 8 Newhall Close has a conservatory that is sited on the west side elevation approximately 8m away. There are no windows at first floor level on the side flank wall of the proposal and due to the orientation of this property and boundary screening of approximately 2.5m it is not considered that the extension would create a loss of outlook to recommend refusal.

The extension will be visible to the front of the site but it is not considered that the pattern of the street scene will be compromised, nor would it harm the established character of the surrounding residential area.

It is therefore recommended that the application be approved, subject to 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 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:

Location 1:1250/Block 1:500 Rev A dt 17.1.14 received on 17.1.14,
Proposed Ground Floor 1:50 Rev A dt 19.11.13 received on 5.12.13,
Proposed First Floor 1:50 Rev B dt 17.1.14 received on 17.1.14,
Proposed Elevations 1:100 Rev B dt 17.1.14 received on 17.1.14,
Proposed Roof 1:500 dt 18.11.13 received on 5.12.13.
Proposed Cross Section 1:50 dt 19.11.13 received on 5.12.13.

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 extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 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.