

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** BR/311/12/**LOCATION:** 142 London Road
Bognor Regis**PROPOSAL:** Single storey infill extension**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The front infill extension measures approximately 2.4m in width, depth of 4.3m with a height of 2.6m.
SITE AREA	Approximately 162 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall + trellis approximately 1.5m in height + wooden entrance gates, rear has close boarded fencing approximately 1.8m, south side boundary has brick wall approximately 1.5m, north side boundary has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey dwelling with car port on southern side, conservatory on rear (to be demolished). The elevations are of red brick, tiled roof with white window frames.
CHARACTER OF LOCALITY	Main road with residential properties, terraced, detached, semi-detached, flats of various styles and designs.

RELEVANT SITE HISTORY

BR/267/12/	Single storey infill extension and new 2nd floor with new mansard roof	Refused 06-12-2012
BR/316/12/	Re-submission of BR/267/12 to provide new 2nd floor under new gable to gable tiled roof.	Approve Conditionally 18-02-2013
BR/61/64/A	Dwelling & carport	Approve 26-05-1965

REPRESENTATIONS**Representations received:**

Bognor Regis Town Council

No objection

Concern was expressed over the loss of an off street parking space.

Comments on Representations received:

Comments noted

The loss of the car port is considered acceptable as there is still space within the front to accommodate a vehicle.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Class C Road

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[DEV19](#)

[GEN2](#)

[GEN7](#)

Extensions to existing residential buildings

Built-up Area Boundary

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.

Paragraph 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 Framework. 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

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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 dwelling and car port was constructed in the 1960's under planning permission BR/61/64/A Condition 5 specified that the development should incorporate a garage or garage space for one vehicle.

The application seeks to infill the existing car port to create an extended living area. The proposed infill extension will be set in slightly from the front and side of the dwelling and the materials to be used will match the existing elevations. It is not considered that the infill would detrimentally alter the character and appearance of the dwelling.

The proposal is set forward of the neighbouring property No 140 and with the absence of windows on the side elevation it is not considered that the proposal would affect the residential amenities of this property by way of overbearing affect.

The existing vehicular access to the site remains unchanged and the loss of the car port is considered acceptable as there is still an area to the front which would accommodate a vehicle and there is off road parking within the street.

It is therefore recommended that the application be approved, 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 Front and Side Elevation Sheet 1 of 2, Street Scene Sheet 2 of 2 received on 14th January 2013.

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 of the infill 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:** 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

NATIONAL POLICIES: 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.

- 5 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.