

Recommendation Report for Planning Permission**REF NO:** BR/34/12/**LOCATION:** 2 Nelson Road
Bognor Regis**PROPOSAL:** Single storey double-glazed conservatory at the rear of existing house**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Single storey double glazed conservatory at the rear of the dwelling.
SITE AREA	Approximately 405 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The perimeter of the garden is enclosed by 1.8 metre high close boarded timber fencing, supplemented by hedging. The front boundary is a low brick wall, railings and brick pillars.
SITE CHARACTERISTICS	Detached two storey Victorian dwelling with front gable and bay windows. Red brick and brown pebbledash elevations and timber sash windows.
CHARACTER OF LOCALITY	Residential street comprising 2 storey detached dwellings predominantly of traditional design and style.

RELEVANT SITE HISTORY

BR/258/02/	Demolition of existing attached garage and conservatory and construction of new larger attached garage and conservatory.	Approve Cond 01-11-2002
BR/19/09/	Conservatory.	Approve Cond 01-04-2009
BR/299/11/NMA	Application for a non-material amendment following a grant of planning permission BR/19/09/ to install a glass lantern into the roof of the conservatory, suspended by a timber frame	Refused 20-12-2011

BR/149/52

Conversion to 2 flats provision of new garage Approve

25-09-1952

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built-up area boundary

Permitted development restriction

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.

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

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than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application seeks consent for a single storey part glazed, part brick conservatory to the rear of the property as an amendment to application BR/19/09.

The scheme as proposed measures 5 metres in width, 3.5 metres in height to the ridge and 5 metres in depth with a brick parapet wall on the east elevation, dwarf brick wall and glazing on the north and west elevations. The proposed scheme incorporates a glazed roof lantern on a timber flat roof.

The conservatory is visually subservient to the host property and, subject to the use of matching external materials, is visually integrated to the dwelling.

The additional glazing proposed to the north elevation of the conservatory is not considered to harm the residential amenities of neighbouring properties, given the extensive tree screen on the rear boundary.

There has been no material change in local plan policies since the 2009 approval. With regard to national planning policies, there is considered to be no conflict, as the NPPF supports good design that responds to local character and history, and reflects local surroundings and materials (para 58).

It is therefore recommended that planning permission is granted, subject to the following 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 the following impacts (Neutral) have been identified upon those people

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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: roof plan to show glass pyramid lantern, existing ground floor plan, existing elevations, proposed site plan and floorplan, proposed elevations received on 27 February 2012.

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

Reason: In the interests of amenity in accordance with policy GEN7 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: GEN7, GEN2, DEV19

NATIONAL POLICIES: NPPF

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.