

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

REF NO: BR/36/15/HH

LOCATION: 79 Chichester Road
Bognor Regis

PROPOSAL: Roof conversion with rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The alteration of the roof from hip to gable with the conversion of the roof space into habitable accommodation and rear dormer. The rear dormer measures approximately 6.8m in width, depth of 3.4m with a height of 2.7m. (cubic capacity 31.2m³).

SITE AREA

Approximately 448 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Slightly uphill from road.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Front is partly open with conifer trees over 2m in height, rear has close boarded fencing approximately 1.8m in height,

SITE CHARACTERISTICS

Semi-detached two storey property with front bay windows, flat roof conservatory on rear. The property has rough rendered walls painted cream, tiled roof with white window frames.

CHARACTER OF LOCALITY

Main road comprising semi-detached and detached properties of various styles and designs.

RELEVANT SITE HISTORY

BR/111/90	Single storey extension with false pitched roof at side as garage and entrance porch	ApproveConditionally 09-04-1990
BR/140/75	Car drive and turn around	ApproveConditionally 19-03-1975

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Objection

On the grounds that it is out of keeping with the surrounding properties and that approval would be visually detrimental to the area and the surrounding properties.

Comments on Representations received:

Town Council Objection comments noted

From a site visit it is noted that there is the absence of rear dormers. A dormer of a similar size and height could be constructed under "Permitted Development" without the need for the submission of a formal planning application.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Class A Road

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
GEN2
GEN7

Extensions to existing residential buildings
Built-up Area Boundary
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: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kington, Littlehampton, Rustington and Yapton.

The Bognor Regis Neighbourhood Plan has recently been out to consultation and will now be reviewed prior to submission to Arun District Council.

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

PRINCIPLE

The site is sited within the built up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case are policies GEN7 and DEV19.

DESIGN AND VISUAL AMENITY

The application seeks to alter the existing roof line from hip to gable to convert the existing roof space into habitable accommodation to provide two bedrooms and bathroom with a rear dormer. To provide for additional light into the roof space a window is proposed on the east side elevation. The dormer will be positioned below the ridgeline of the house by approximately 0.8m and will be set in from the neighbouring roof by approximately 0.3m. It will measure approximately 6.8m in width, depth of 3.4m with a height of 2.7m and will be rendered and tile hung to match the existing elevations. A dormer of a similar size and height could be constructed under permitted development rights under Schedule 2, Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

RESIDENTIAL AMENITY

The neighbouring property to the east No 77 has a window at first floor level on the side elevation that serves the landing area. The proposal has a window on the east side elevation that serves the stairwell and this is to be obscure glazed and non-opening so it is not considered that this would give rise to overlooking and loss of outlook to the occupiers. It is noted that the bedroom windows on the rear dormer have the potential for overlooking onto neighbouring gardens. However, given the distance to neighbouring properties in Murina Avenue which are sited approximately 40m away it is not considered that this would be of an unacceptable nature due to presence of existing first floor windows.

SUMMARY

It is not considered that the alteration to the roof would unbalance the existing symmetry of the pair of semi-detached dwellings. It is noted that there is the absence of rear dormers within the immediate vicinity but it is not considered that the dormer would harm both the character and appearance of the dwelling or surrounding area or impact upon the residential amenities of the neighbouring properties.

It is therefore recommended to approve the application, 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 received on 13th February 2015.

Location 1:1250.

Block 1:500.

Proposed Second Floor 1:50 Drg No 6335/05A dated January 2015.

Proposed Elevations 1:100 Drg No 6335/07A dated January 2015.

Existing/Proposed Roof Drg No 6335/10 dated January 2015.

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 window on the east side elevation serving the stairwell shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.