Recommendation Report for Planning Permission

REF NO: **BR/63/12/**

LOCATION: 3 Elfin Grove
Bognor Regis

PROPOSAL: Small modification to existing roof, to replace section of flat roof with pitched roof to match remainder of existing. Increase second floor by 5 square metres, replace existing east facing window with roof light & 3 additional roof lights. Replace existing timber window on north elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 658 sq metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Mature vegetation to side, front and rear boundaries. 1.8 metre brick wall to west boundary and 1.5 metre timber five bar gate to front (south) boundary.
SITE CHARACTERISTICS	Detached, two storey Victorian Villa with two projecting gables and bay windows to front elevation and shallow, clay tiled roof. Cream pebbledash elevations.
CHARACTER OF LOCALITY	Predominantly residential comprising detached two storey Victorian villas, some converted to flats, and two storey detached modern dwellings, accessed from a private, unmade road.

RELEVANT SITE HISTORY

BR/222/68	Conversion to 2 flats	ApproveConditionally 14-05-1968
BR/475/68	Conversion to 2 flats	ApproveConditionally 11-09-1968
BR/604/74	Garage	Approve 23-10-1974

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

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	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.

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 application property is a large detached, two-three storey Victorian villa that has been converted into flats and is accessed via a private, unmade road - Elfin Grove. On the basis of a site inspection, the property appears to be vacant.

The property has two pitch roof projecting gables with bay windows to the front elevation. To the rear, the property has a two storey flat roof extension and part mono pitch roof. It is proposed to infill this section of flat roof to a pitch roof in order to provide accommodation in the roofspace.

The pitch roof will be clad in interlocking clay tiles, to match the existing, and the north facing gable end wall will be clad in pebbledash. It is proposed to enlarge 1no. first floor window in the east flank elevation, insert 1 x 2nd floor window in the north elevation and to insert 2no. rooflights in the east roofslope and 2no. rooflights in the west roofslope. The addition of a pitch roof to the rear is considered to enhance the character and appearance of the original Victorian villa, as this removes a section of flat roof that does not integrate visually with the host property.

The property is well screened by mature vegetation on front, side and rear boundaries, and occupies a secluded position off a private road. As such, the proposed alterations will have a limited visual impact on the character of the streetscene and surrounding area, and will serve to enhance the appearance of the property.

The rooflights will be positioned high in the roofspace at an angle, such that they will not give rise to overlooking or loss of privacy. The window to be an enlarged is an existing window in the east flank elevation. The proposed north facing second floor window will not give rise to adverse overlooking, given the separation distance of 15 metres to properties at the rear, and the presence of mature vegetation and trees. The proposal will therefore have no adverse impact on residential amenity.

It is 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 to 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 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: drawing no. A-002 rev A site location, drawing no. A-001 rev A site location, drawing no. A-006 rev A existing and proposed roof and second floor plans, drawing no. A-003 existing elevations, drawing no. A-004 proposed elevations, drawing no. A-005 existing and proposed section AA, received on 22 March 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 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

NATIONAL POLICIES: National Planning Policy Framework (2012)

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