

Recommendation Report for Planning Permission**REF NO:** BR/78/13/**LOCATION:** Jericho
188 Hawthorn Road
Bognor Regis**PROPOSAL:** Replace existing conservatory with single storey living room extension, replace existing porch with new & new ramp access**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed rear extension measures approximately 4.4m in width, depth of 2.9m with a maximum height of 3.7m. The replacement porch measures approximately 4.7m in width, depth of 1.3m with a height of 3.5m. The new ramp is approximately 5m in length with a max gradient of 1/15.
SITE AREA	Approximately 0.12 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Rear and side boundaries mixture of hedging and close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached three storey building with single storey extension and conservatory on rear, dormer on east side and front entrance porch. The walls have render and brickwork painted white with a gabled, pitched tiled roof.
CHARACTER OF LOCALITY	Residential road comprising two storey detached, semi-detached dwellings and apartments of various styles and designs.

RELEVANT SITE HISTORY

BR/71/88	Greenhouse for garden project for work by mentally handicapped adults.	Approve Conditionally 07-03-1988
BR/546/88	Replace existing dilapidated shed with multi-purpose building of same size.	Approve Conditionally 24-10-1988

BR/293/96	Double glazed PVCu conservatory.	Approve Conditionally 31-01-1997
BR/39/01/	Erection of a garage shed for woodwork activities (no heavy machinery to be used).	Approve Conditionally 23-03-2001
BR/339/06/	Log cabin for multi purpose use - non residential	Approve Conditionally 15-12-2006
BR/619/85	Change of use from private residential to shared accommodation for mentally adults and assistants	Approve Conditionally 15-01-1986
BR/165/86	Single storey rear extension and internal alterations	Approve Conditionally 27-05-1986

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection

1 Letter of Objection

The rear extension by way of its solid construction would impact on the amount of sunlight to patio area.

Comments on Representations received:

Objection comments noted

It is not considered that the single storey extension by reason of its height and adequate siting away from the neighbouring boundary would create unacceptable overshadowing or loss of outlook to recommend refusal.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Class C Road

Public Sewer On Site

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)

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 which was adopted in 2003.

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 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 detached property is a residential care home for persons with learning difficulties also providing day centre facilities located in the outbuildings.

The property is set back from the front boundary by approximately 15m and the application seeks to remove the existing conservatory on the rear eastern side of the building and replace with a single storey extension. This will enlarge the existing living room and provide for all year round use as opposed to the only seasonal use of the existing conservatory. The proposed extension being on the same footprint as the existing conservatory will have a hipped roof and will be approximately 3.7m in height. It will link up with the existing extension and form a continuous roofline which is considered to be a great improvement in visual terms. The proposal has a window on the side elevation fronting the neighbouring property to the east No 186 and the extension is set away from the neighbouring boundary by approximately 5m. It is considered that

with adequate distance to the neighbouring boundary, its single storey height and fencing of approximately 1.8m it is not considered that the extension would affect the occupiers of No 186 by way of harmful overshadowing or loss of outlook to recommend refusal.

The existing wooden porch which is substantially glazed is in a poor state of repair and is to be replaced. The existing porch projects forward of the roof line and the proposed porch will be sited behind the existing eaves/tiled roofline. It will be white PVCu that will match the existing windows. To allow safe and level access to the front a new ramp is proposed which will be approximately 5m in length with a raised gradient of approximately 0.3m.

The extensions are visually subservient to the host dwelling with new materials matching the existing house. Due to its rear location the extension will not be visible in the street scene, however, the front porch is of a size and height that is not out of character or appearance within the street scene or surrounding residential area.

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 positive impact has been identified upon those people with the following protected characteristics (disability).

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

report

amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Site/Block Drg No 09, Proposed Site Drg No 08B, Proposed Ground Floor Drg No 02A, Proposed Elevations Drg No 04C, Patio Details Drg No 11, Front Access Details Drg No 12 received on 2nd April 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 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 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: GEN2, GEN7

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.