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

REF NO: **BR/94/12/**

LOCATION: Tranquil Cottage
18 Church Lane
Bognor Regis

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a single storey rear extension (depth 3 metres, width 5.8 metres, maximum height 3.7 metres).
SITE AREA	Approximately 311 sq m
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGROPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None to front. 1-1.8 metre fence and dense vegetation to side boundary adjoining 16 Church Lane. Mature shrubs and vegetation to side adjoining 20 Church Lane and to rear.
SITE CHARACTERISTICS	Semi-detached two storey property constructed from brick with hip, tiled roof and bay windows to front elevation. Timber lean-to garage to side.
CHARACTER OF LOCALITY	Predominantly residential comprising two storey semi-detached properties, modern terraced properties and chalet bungalows.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:
Bognor Regis Town Council
No objection.
Comments on Representations received:
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:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	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 than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The National Planning Policy's Core Planning Principles at paragraph 17, and as amplified later in the Framework, indicate that planning should "always seek to secure high quality design" and also "take account of the different roles and character of different areas....recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it".

Paragraph 56 places design at the heart of the planning and paragraph 58 includes that decisions "should be based on...an understanding and evaluation of its defining characteristics" and "ensure that developments respond to local character". Paragraph 64 recommends that permission "be refused for development of poor design..."

The single storey rear extension will be constructed from part brick, part render with a mono pitch

tiled roof.

The extension will project 3 metres from the rear elevation at a width of 5.8 metres, eaves height of 2.2 metres. The extension is an appropriate design and scale in relation to the host dwelling and is visually subservient.

The proposal will have no visual impact from the streetscene, being at the rear of the property, and maintains the established street pattern and character of the area. The proposal is therefore in keeping with the locality and the advice contained within the National Planning Policy Framework.

The site boundary adjoining No. 20 is well screened by mature vegetation and shrubs. Owing to its siting, the extension will have no impact on the amenities of this property. In relation to No. 16, the extension will be positioned adjacent to the side boundary, projecting to a depth of 3 metres. The extension will breach the 45 degree line taken from the mid point of the nearest ground floor window at No. 16. However, the extension is single storey with a pitch roof and is screened by high boundary fencing of approximately 1.8 metres at this point. Given the high boundary screening, it is considered that a refusal based on loss of daylight/outlook to the neighbour is unwarranted in this instance.

It is therefore recommended that consent is granted, subject to the conditions set out below.

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: Single storey rear extension, 18 Church Lane (proposed floorplans and elevations) received on 3 May 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 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: GEN7, GEN2, DEV19

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.