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

REF NO: **FP/110/12/**

LOCATION: 7 George IV Walk
Bognor Regis

PROPOSAL: First floor extension over garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application seeks consent for a first floor extension over a flat roof garage.
SITE AREA	Approximately 351 sq m
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGROPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None to front. Low chain link fence to side boundary (west).
SITE CHARACTERISTICS	Two storey semi-detached modern dwelling constructed from red/orange facing brickwork, tiled, pitch roof. Flat roof integral garage to side and single storey extension to side/rear.
CHARACTER OF LOCALITY	Open plan residential estate of modern two storey semi-detached dwellings of identical character and design.

RELEVANT SITE HISTORY

FP/159/00/	Demolition of existing sun room and garage, construction of extension to living area & kitchen plus new attached garage.	ApproveConditionally 06-11-2000

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection subject to regulation of 1 metre from boundary at first floor level being observed.

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
PD restriction
Open plan condition

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	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.

The Emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight 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

DESIGN
The first floor side extension will be under a pitch, tiled roof with a ridge height of 8.5 metres. The expansion will span the depth of the property (7.5 metres) at a width of 3.5 metres. It will be set back 400mm from the front elevation of the dwelling and the ridgeline stepped down 200mm, in order to appear visually subordinate to the host dwelling. The extension will be clad in Eternit cladding with a tiled pitch roof and uPVC glazing. The use of Eternit cladding contrasts with the brick elevations of the main dwelling, but subject to a condition to secure sample materials of the cladding, the design, scale and materials are considered appropriate, and sympathetic to the character and appearance of the host dwelling.

VISUAL AMENITY
The surrounding area is a modern residential estate of semi-detached two storey dwellings of identical character and design. The area has an open, spacious character, as there are no formal front boundary treatments, and properties comprise semi-detached two storey dwellings with ample spacing between blocks. The application property is an end of terrace, located in a row of two semi-detached dwellings constructed from brick of identical character and design.

The addition of a first floor side extension will reduce the separation distance to the neighbouring property at No. 5. However, a gap of 1 metre will be retained to the common boundary to ensure adequate separation to the neighbouring property and to comply with policy DEV19.

RESIDENTIAL AMENITY
With regard to residential amenity, the proposal will have no impact on no. 9 to the east, being on the west flank elevation of the dwelling. There are no windows proposed in the west flank elevation of the extension facing the neighbouring property at no. 5. Owing to its siting and scale, the proposal will have no adverse impact on the amenities of this property by means of loss of daylight, privacy or outlook.

CONCLUSION
It is therefore recommended that consent is granted, subject to the conditions outlined 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: drawing 08 site plan, block plan, drawing 07 block plan, drawing 01 existing floor plans, drawing 02 existing elevations, drawing 03 proposed first floor plan, drawing 04 proposed front elevation, drawing 05 proposed rear elevation, drawing 06 proposed side elevation, received on 27 June 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 Notwithstanding the details hereby approved, no development shall take place until sample materials of the Eternit Cladding have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details and retained as such thereafter.

Reason: To secure a satisfactory external appearance, in the interests of visual amenity, to comply with policy GEN7 of the Arun District Local Plan.

4 The materials and finishes of the external roof of the building 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.

5 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.