

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** FP/120/14/HH**LOCATION:** 4 Wyke Lane North
Bognor Regis**PROPOSAL:** New porch extension including some internal works**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed porch measures approximately 4.7m in width, depth of 1.7m with a maximum height of 3.3m.
SITE AREA	Approximately 384 square metres.
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front has close boarded fencing approximately 1m in height with vegetation, side boundaries fencing and vegetation approximately 1.2m in height.
SITE CHARACTERISTICS	Semi-detached two storey property that has previously been extended with a two storey side extension and garage. The property has white rendered walls with a tiled roof and white window frames.
CHARACTER OF LOCALITY	Private residential estate comprising detached properties of various styles and designs with grass verges to front.

RELEVANT SITE HISTORY

FP/226/06/	Two storey extension and replacement garage	ApproveConditionally 27-10-2006
BR/486/76	Porch and covered way between house and garage	ApproveConditionally 15-09-1976

REPRESENTATIONS

Representations received:

Felpham Parish Council

Objection

The Council wish to object to this application on the grounds that it will be detrimental to the street scene coming too far forward of existing properties.

Comments on Representations received:

Parish Council objection comments noted

With a distance of approximately 7.4m to the highway it is not considered that the front porch being of an acceptable size and height would appear out of character with the host dwelling or compromise the character and appearance of the street scene.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order

No Public Sewer

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
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Quality	
	D DM4 Extensions & Alterations to Existing Buildings	
	D SP1 Design	
	SD SP2 Built -Up Area Boundary	
Felpham Neighbourhood Plan 2014 POLICY ESD1	Design 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.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following publication of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- i. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- ii. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- iii. the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

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 once the remaining chapters/policies have been published.

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).

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 PROPOSAL

The property is sited within the private Roundle Estate comprising semi-detached and detached two storey properties, many of which have been extended with side and rear extensions and front porches. The properties are set back from the front boundary with grass verges to the front. The property has previously been extended with a two storey side extension and single garage extension. The application seeks to construct a front porch extension.

PRINCIPLE

The site is located within the built up area boundary where the principle of development is acceptable subject to accordance with relevant planning policies. In this instance the main criteria against which the application will be assessed is contained within Arun District Local Plan policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND SCALE

The proposal is to create a front porch extension adjacent to the main entrance which will also comprise a wc. It will be sited approximately 7.4m from the front boundary and will measure approximately 4.7m in width, depth of 1.7m with a maximum height of 3.3m. The porch which has a hipped roof will be rendered with a tiled roof to match the host dwelling. The porch is of a size and height that is considered to be visually subservient to the host dwelling.

RESIDENTIAL AMENITY

The proposed porch will be sited approximately 3.7m from the adjacent property No 6 and 13m from the neighbouring property No 2. Due to its single storey height it is not considered that this would create a loss of outlook to the occupiers.

SUMMARY

Due to its siting and moderate size it is not considered that this would compromise the character and appearance of the street scene or have an adverse impact on the residential amenities of the occupiers of the neighbouring properties. It was noted at the time of the officer's visit that there were porch extensions on Nos 15, 17 and 19 Wyke Lane North and a front garage extension was being constructed at the neighbouring property No 8.

It is therefore recommended for approval, 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: Location 1:1250 Drg No ADS-001 dt 25.6.14, Site 1:200 Drg No ADS-002 dt 25.6.14, Proposed Floor/Elevations 1:100 Drg No ADS-004 dt 25.6.14 received on 21st July 2014.

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 host dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **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.