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

REF NO: **FP/144/13/**

LOCATION: 11 Chesswood Avenue
Bognor Regis
West Sussex

PROPOSAL: Single storey side and rear extension with conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed side and rear extension with conservatory measures approximately 7.5m maximum in width, maximum depth of 9.9m and a maximum height of 3.1m.
SITE AREA	Approximately 248 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall + wooden entrance gates approximately 1.5m in height, rear has conifer screening approximately 2m in height, north side boundary has close boarded fencing + hedging approximately 2m-2.5m in height, south side boundary has close boarded fencing + hedging approximately 1.8m in height.
SITE CHARACTERISTICS	Semi-detached two storey property with wooden shed/covered area on the south side. The wall are rendered painted white, white window frames with a red tiled roof.
CHARACTER OF LOCALITY	Residential comprising a mixture of detached, semi-detached two storey and detached bungalows of various styles and designs.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

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 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 published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 seeks to construct a single storey extension on the side and to the rear with a conservatory.

The existing propety has a wooden covered area on the southern side that is sited to the boundary and this will be removed. The proposed extension which will comprise a wet room and extend the existing kitchen area will be sited to the southern boundary. This will extend along the side elevation and create a wrap around extension that will have a rear projection of 2.9m and will create a utility room with a conservatory.

The neighbouring property to the south No 9 has a conservatory on the rear elevation that extends out by approximately 3m and this is sited approximately 2m away. The proposal with a rear projection of 2.9m and the absence of windows on the south side elevation it is not considered that this would create an overbearing affect or create a loss of outlook. The adjoining property No 15 has a conservatory on the rear that has a rear projection of approximately 3m. With its single storey height and glazed roof it is not considered that the conservatory extension would be of an overbearing affect or create a loss of outlook to recommend refusal. It should be noted that a rear extension of 3m with a eaves height of 3m could be constructed on the rear wall of the original dwellinghouse under "Permitted Development" without the need for the submission of a formal planning application.

The proposed side extension will be readily visible in the street scene but it is not considered to be of an obtrusive nature, nor would it harm the residential amenities of the neighbouring properties or affect the character and appearance of the surrounding residential area.

It is therefore recommended to approve the application, 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 3CHE-13, Proposed Roof 11CHE-13 03 received on 20th August 2013, Block 1:500 Drg No 11CHE-13, Proposed Floor 11CHE-13/04 REVA, Proposed Elevations 11CHE-13 02 REVA received on 9th September 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 hereby permitted shall match in colour and texture those of the existing building.

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.