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

REF NO: **FP/208/13/**

LOCATION: Verona
Outram Road
Bognor Regis

PROPOSAL: Two storey rear extension; front first floor balcony and front dormer. Extend party wall through roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is to demolish existing single storey rear extension and replace with a two storey extension with a gabled roof to provide an enlarged loft room. A balcony is proposed at first floor on the front elevation on top of an existing large bay window and a front facing dormer window is proposed at second floor. The proposed rear extension will project no further to the rear than the existing ground floor lean to. At first floor, the extension will project 2.5m. The corner of the extension has been chamfered to respect the 45 degree code. To the front, a balcony is proposed above the existing ground floor bay window. The bay window is not enlarged. At second floor, a dormer window is proposed. This would be 3.6m in width and be of a similar scale and design to two similar dormers on the northern side of Outram Road.
SITE AREA	Unknown
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the front of the property, there is a 1.5m close boarded fence with hedging. To the rear is a 2m high close boarded fence adjoining the existing dwellings and lean-to extension on the adjoining property.
SITE CHARACTERISTICS	Semi-detached two storey dwelling set back

from the street by approximately 6m.

CHARACTER OF LOCALITY	The site is located on a residential cul-de-sac that is characterised by dwellings of a mixture of designs and scales, predominantly two-storey and semi-detached, some of which have had dormers formed within the roof. The Promenade and beach are to the east.

RELEVANT SITE HISTORY

None

FP/107/06 - Planning permission was granted at 2 Outram Road (two properties to the east of the application property) for a second floor front facing dormer window and front balcony at first floor. there was also a large rear facing dormer at second floor.

FP/121/11 - Planning permission was granted at Seacroft (three properties to the east of the application property) for a second floor front facing dormer window and front balcony at first floor. There was also a large rear extension at first and second floor.

REPRESENTATIONS

Representations received:

Felpham Parish Council

Felpham Parish Council - No objection

3 letters of objection

- Overlooking of the rear of adjoining properties and gardens
- Block much of the light to rear garden
- Will be overlooked from all angles
- Current occupier is due to move out
- Issues with parking associated with a larger property
- Blocking out light and views to a roof terrace on adjoining flats

Comments on Representations received:

The adjoining property to the west has objected. In terms of the elevation that would face the adjoining property to the west, the rear extension would present a large wall to this property (by 2.5m). However, there are no additional windows in this elevation and, whilst there will be an impact in terms of outlook and overbearing impact from amenity areas, it is not considered that this is so significant as to justify refusal of the proposals.

The block of flats is located further to the west and is over 11m from the application property. Bearing in mind the distances involved, it is not considered that there will be a significant adverse impact on loss of light to the roof terraces.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

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

PRINCIPLE: The site is located within the built-up area where the principle of development is deemed to be acceptable, subject to the proposal complying with relevant planning policies. In this instance, the main considerations are set out in Arun District Local Plan policies GEN7 and DEV19 which aim to prevent development which is unduly harmful towards the character and appearance of its surroundings or towards the amenities of neighbouring residents.

CHARACTER & APPEARANCE: The proposed rear extension would have little visual impact upon the street scene due to its siting to the rear of the existing dwelling. The proposed front dormer will alter the appearance of the dwelling frontage. However, it is noted that front roof dormers feature on a number of neighbouring properties. The proposed dormer has been designed to replicate the appearance of a dormers approved for neighbouring properties. It is therefore considered that the proposed works will have an acceptable impact upon the character and appearance of the surrounding area.

DESIGN & SCALE: The proposed works are considered to relate sympathetically towards the existing building in terms of design and scale. The proposed rear extension has a matching ridge height to that of the existing roof, ensuring visual integration with it, whilst it has a smaller footprint than the existing dwelling, so as not to visually dominate it. The gable end design of the extension will also compliment the gable endings of the existing building. The proposed dormer is stepped up from the eaves height of the front roof slope and stepped in from the roof edges, to prevent it from appearing overly dominant.

RESIDENTIAL AMENITIES: The adjoining property to the west has objected. In terms of the elevation that would face the adjoining property to the west, the rear extension would present a large wall to this property (by 2.5m). However, there are no additional windows in this elevation and, whilst there will be an impact in terms of outlook and overbearing impact from amenity areas, it is not considered that this is so significant as to justify refusal of the proposals.

The block of flats is located further to the west and is over 11m from the application property. Bearing in mind the distances involved, it is not considered that there will be a significant adverse impact on loss of light to the roof terraces.

The proposed rear extension will not obstruct any 45 degree sight lines taken from primary windows of the neighbouring property. It is therefore considered that they will not appear overbearing or cause overshadowing towards the adjoining property. Further, it is considered that the extension is a sufficient distance from properties on Clyde Road, that back onto the site to prevent any harmful overbearing, overlooking or overshadowing impact.

All new ground floor windows will have views towards neighbouring properties interrupted by existing site boundary treatment and the proposed first floor window on the rear elevation will face towards the far end of the site and be a sufficient distance from properties backing onto it to prevent unacceptable visual intrusion.

The proposed front balcony is of the same design and scale to that approved at two adjoining properties.

SUMMARY: It is considered that the applicantion has no harmful impact upon the character and appearance of the surrounding area, or upon the amenities of neighbouring residents.

It is therefore recommended that the application is approved, subject to the following 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 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 neutral impacts 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 materials and finishes of the external walls and roofs 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 policies GEN7 and DEV19 of the Arun District Local Plan.

3 The development hereby approved shall be carried out in accordance with the following approved plans:

ADC/5/13 - Existing Elevations and Floor Plans
ADC/5/13 - Proposed Elevations and Floor & Roof Plans

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.

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.