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

REF NO: **FP/211/12/**

LOCATION: 11 Crossbush Road
Bognor Regis

PROPOSAL: 2 storey rear extension with modifications to roof, front extension & dormer alterations, front boundary fence & gates, internal alterations & re-fenestration. Resubmission of previously withdrawn application FP/168/12/

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for: - two storey rear extension with alterations to the roof, - front gable extension and dormer alterations, - front boundary fence and gates, internal alterations and re-fenestration.
SITE AREA	Approximately 974 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1 metre picket fence to front boundary. 1.5-2 metre fence and planting (east). Mature trees and vegetation west and rear boundaries.
SITE CHARACTERISTICS	Detached two storey dwelling faced in white pebbledash with brick plinth and pitched, gabled roof with low eaves and covered verandah to front elevation.
CHARACTER OF LOCALITY	Private residential estate comprising detached two storey dwellings of various character and design in medium-large plots.

RELEVANT SITE HISTORY

FP/168/12/	2 storey rear extension with modifications to main roof, front dormer alterations, front balcony, new high front boundary fence & gates. Internal alterations & re-fenestration.	Withdrawn 22-10-2012

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

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

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.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies 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 conflict with policy DEV19 of the Arun District Local Plan. However, the proposal 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 other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Whilst the proposal is non-subservient, it will not have a materially adverse impact on visual or residential amenity.

CONCLUSIONS

PRINCIPLE
The site is located within the built-up area boundary where the principle of new development is acceptable, subject to proposals having an acceptable impact on residential and visual amenity. The current application follows negotiation and modifications to the design of the extensions.

DESIGN AND VISUAL AMENITY
The existing dwelling is a modest two storey detached dwelling located in a large plot of approximately 972 sq metres.

The proposal seeks to enlarge the property with a two storey rear extension that will span the width of the dwelling (12.6 metres) and project to a depth of 5.3 metres. This will effectively double the footprint of the dwelling. In addition, consent is sought to raise the roofline of the dwelling by 2.5 metres, construct a second projecting gable to the front elevation of the dwelling and extend the garage to a depth of 1.5 metres, and alter 2no. front dormer windows on the front roofslope. The proposed elevations and front dormer are to be faced in smooth, white render and the roof tiled with either plain clay tiles or natural slate.

It is accepted that the proposed extensions are extensive and not visually subservient to the host dwelling. However, the surrounding area is characterised by detached two storey dwellings in large plots of various character and design. The existing modest property occupies a large plot of approximately 972 sq metres and is signficantly smaller in relation to neighbouring residential properties. The increase in the height and footprint of the dwelling is considered to be in keeping with the scale of surrounding residential development and will not compromise the established spatial pattern and layout of the street. A large private amenity area will be retained to the rear and the proposed front gable extension will preserve the building line and replicate the existing front gable. The proposed materials are appropriate, given the variety of building styles and treatments within the streetscene. The replacement front boundary fence, trellis and gates will measure 1.2-1.5 metres in height. It is considered to be an appropriate height and design that will not be unduly prominent within the streetscene.

SUSTAINABILITY
It is proposed to incorporate measures to increase energy efficiency and improve the energy performance of the dwelling with rainwater harvesting, low 'E' value windows and future proof the

building to include air/ground source heat pumps and solar hot water heating. The proposal is therefore fully compliant with the National Planning Policy Framework, which places significant emphasis on the presumption in favour of sustainable development (paragraph 15) and support the transition to a low carbon future (paragraph 17).

RESIDENTIAL AMENITY
The application site is located within a residential area, being bordered by neighbouring residential properties and back gardens to the east (no.15) and west (no.9).

The plot increases in width towards the rear. Ample separation distance of 3 and 2 metres (at maximum) respectively will be retained to the side boundaries adjoining nos 9 and 15. Three first floor bathroom windows will be inserted in the flank elevations of the extended dwelling, all of which will be obscure glazed to a height of 1.7 metre from finished floor level. The proposed front extension will not have an adverse impact on the amenities of no. 9 through overlooking, loss of privacy or daylight.

SUMMARY
The proposal is not visually subservient to the host dwelling and as such, is contrary to policy DEV19 ii). However, in this instance, the proposal is considered to preserve the established character and visual amenities of the area, by replacing a very modest dwelling in a large plot with one that is of comparable size to surrounding residential development. The proposal is not considered to have a materially adverse impact on the residential amenities of neighbouring properties. It is therefore recommended that consent is granted, subject to the conditions outlined below.

HUMAN RIGHTS ACT

FOR APPROVAL
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 0000/Block Block Plan, drawing 000/04 Rev G Existing and Proposed Floorplans and Elevations, received on 5 November 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 No development shall be carried out unless and until a schedule of materials and finishes to be used for the external roof of the proposed extension has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

4 The first floor bathroom windows on the east and west elevations of the building shall at all times be glazed with obscured glass fixed to be permanently non-opening to a height of 1.7 metres from finished floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 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.

6 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.