

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

REF NO: FP/239/12/

LOCATION: 59 Crossbush Road
Bognor Regis

PROPOSAL: Demolition of existing single storey garage and the construction of a ground floor single storey rear and side extension (resubmission following FP/140/12/)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Utility extension: 4.7 x 3.8 x 3.3 metres. Kitchen/living room extension: 8.3 x 6.4 x 2.9 metres.
SITE AREA	Approximately 848 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1 metre high timber post and rail fence to front boundary. 1.8 metre high fence and hedge to side adjoining no. 61. 3 metre high hedge to rear and side boundary adjoining no. 57, supplemented by mature bushes to front.
SITE CHARACTERISTICS	Detached, two storey double front dwelling faced in cream render with tiled, hip roof. Flat roof garage to side.
CHARACTER OF LOCALITY	Private residential estate comprising two storey detached dwellings in large plots. No formal pavement.

RELEVANT SITE HISTORY

FP/140/12/	Demolition of existing garage & construction of a ground floor single storey rear & side extension to be linked to a new garage located forward of the front elevation of the existing dwelling, incorporating the removal of the affected existing facades at ground floor level	Refused 20-08-2012
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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](#)
[GEN2](#)
[GEN7](#)

Extensions to existing residential buildings
Built-up Area Boundary
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.

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 boundary where the principle of new development is acceptable, subject to proposals having an acceptable impact on visual and residential amenity.

DESIGN AND VISUAL AMENITY

The application is a re-submission of FP/140/12/ which refused consent for a single storey side and rear extension and front integral garage extension. The proposed garage extension was

considered to be visually intrusive and harmful within the streetscene, by reason of its scale, form and design, and to have an adverse and overbearing impact on the residential amenities of the neighbouring property to the east. The front integral garage extension is omitted from the current proposal.

The proposed utility room extension will have a flat roof with parapet wall and the proposed living room/kitchen extension to the side and rear will have a flat roof with projecting eaves. The extensions will be faced in white painted render with concrete parapet copings. They will be sited on the east and north elevation of the dwelling. The proposed extensions will replace an existing flat roof side garage and are visually subservient to the host dwelling.

The surrounding area is predominantly characterised by detached, two storey dwellings in well spaced plots. No. 59 has a wide frontage of over 40 metres into Crossbush Road. The property is set back 10 metres from the street frontage and is sited in a wide, spacious plot with lawned areas to the front and side. The property makes a positive contribution to the character of the streetscene.

The omission of the front garage extension retains the wide, open frontage of the plot and its spacious character within the streetscene. The proposal is therefore considered to preserve the visual amenities of the surrounding area.

A hardstanding of approximately 56 sq metres is proposed to be finished in either tarmac, gravel or concrete block paving. A condition is recommended to secure sample materials for the new hardstanding.

RESIDENTIAL AMENITY

The previous scheme was considered to be harmful to the amenities of no. 61 to the east, owing to the scale, mass and close proximity of the front and side extensions to the common boundary.

The side extensions will be sited within 800mm of the common boundary at the narrowest point at a maximum height of 3.3 metres. The front garage extension is omitted altogether. The proposal is considered to have a less overbearing impact on the amenities of this property and will not harm the privacy, outlook or daylight to the neighbouring property.

SUMMARY

The current scheme retains the open, spacious frontage of the property and the character of the streetscene. The proposal is not considered to harm the residential amenities of the neighbouring property to the east. It is therefore recommended that consent is granted, subject to the following conditions.

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 0001 rev A Location Plan, drawing 0002 rev B Proposed Layout Plan, drawing 001 rev A Ground Floorplan Existing Layout, drawing 002 rev A First Floorplan, drawing 021 rev A Front Elevation Existing, drawing 022 rev B West Elevation Existing, drawing 023 rev A Rear Elevation Existing, drawing 024 rev A East Elevation Existing, drawing 201 rev F Ground Floorplan Proposed Layout, drawing 202 rev C First Floorplan (Extension Roof Plan) Proposed Layout, drawing 221 rev D Front Elevation Proposed, drawing 222 rev D West Elevation Proposed, drawing 223 rev C Rear Elevation Proposed, drawing 224 rev D East Elevation Proposed, drawing 211 rev B Section AA Proposed, drawing 212 rev C Section BB Proposed, received on 29 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 commence unless and until a schedule of materials and finishes to be used for the hardstanding have been submitted to and approved in writing by the Local Planning Authority, and retained as such thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **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.

- 5 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.