

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

REF NO: M/48/13/

LOCATION: 5 Denham Close
Bognor Regis

PROPOSAL: Remove existing single storey garage and replace with 2-storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed two-storey measures approximately 9 metres in width by 6.5 metres in depth and 6.653 to roof ridge height. A single-storey garage building measuring 6.29 metres in length by 2.73 metres in width and 3.985 metres to ridge height would be attached to the front (northern) elevation. The roof of the porch on the existing dwelling would be extended to provide overhanging cover above the entrance door to the proposed extension.
SITE AREA	Approximately 525 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Site frontage is open. The rear garden is enclosed by approximately 2 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling that has red/brown brick elevation walls, with sections of brown tile hanging above ground floor window heads to the front and back, and a tiled, gable ended roof. A single-storey flat roof double garage is attached to the side (western) elevation. A single-storey mono-pitched extension also incorporating an overhanging porch has been added to the front elevation. A conservatory extension has been added to the rear.
CHARACTER OF LOCALITY	The site is located on a residential cul-de-sac which is lined by an informal arrangement of detached two-storey dwellings on the southern side of the road, with detached and semi-detached bungalows on the northern side. Dwellings are set back from the road and the provision of landscaping as well as the presence of a number of visual gaps between and around dwellings helps to generate an open and spacious characteristic.

RELEVANT SITE HISTORY

M/55/96	Erection of PVCu conservatory to rear of property - single storey	ApproveConditionally 12-11-1996
M/40/71	Conversion of garage into living accomodation car port	ApproveConditionally 09-06-1971
M/58/74	Conversion of existing garage to dining room and addition of porch and double garage	Approve 23-10-1974
M/17/84	Extension to front of house to give enlarged living room and new cloakroom and covered porch	ApproveConditionally 25-04-1984

REPRESENTATIONS**Representations received:**

Middleton Parish Council

Objection. The proposed extension is a self-contained independent annexe with no internal access between the existing detached property and the extension. What is being proposed is the creation of two semi-detached properties on an open plan estate which has only detached houses. The proposed development is contrary to policy DEV19 as it is neither visually subservient to the main building or sympathetic in siting, form or scale. It is out of character with the street scene contrary to policy GEN7 and DEV19. If minded to approve the application the committee must insist on at least one internal connection between the existing property and the proposed extension and specify that this property must remain detached and not be split into semi-detached properties.

One letter of representation: No objections to the building as such but concerns over parking provision.

Comments on Representations received:

Noted. Whilst it is acknowledged that there are no internal links between the existing dwelling and the extension, any approval given will be on the proviso that the extension is for ancillary use only and, as such, could not be marketed or used as a separate unit of accommodation.

A condition requiring internal linkage would neither be reasonable or easily enforceable.

Potential impacts upon the character and appearance of the surrounding area will be discussed within the conclusions of this report. The provision of on site parking is not protected by any planning condition nor is parking a consideration when determining applications for householder extensions.

CONSULTATIONS**Consultations responses received:**

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

MDS	Middleton-on-Sea Village Design Statement by Middleton PC
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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 conflict with relevant Development Plan policies by way of its siting, bulk and mass which would lead to it detracting from the appearance of the host property and character and appearance of the surrounding area by failing to integrate within the street scene.

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 proposed extension will almost double the two-storey frontage of the existing dwelling and will

therefore significantly impact upon the character and appearance of the street scene and greatly unbalance the appearance of the host property.

It is noted that a nearby property, namely No. 1 Denham Close, has had a two-storey extension made to the side, however, the proposed extension is of far greater width. The design of the extension, which features separate front access, combined with the almost identical width of the extension in comparison to the existing dwelling will create the impression of a semi-detached dwelling. The only semi-detached properties on the Close are bungalows, all two-storey buildings are detached and it is therefore considered that the extension will be out of keeping with surrounding development. In addition, the two-storey extension will close off an important visual gap maintained at the end of the Close and will therefore compromise the open and spacious characteristics of the street.

It is therefore recommended that the application is refused for the following reason.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

In assessing this proposal it is considered that its refusal would not result in any negative impact 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

REFUSE

- 1 The scale of extension, particularly its excessive width, and its appearance, with independent access to the front, would result in the impression of a semi-detached dwelling that would be out of keeping with the pattern of surrounding development and would thereby fail to integrate within the street scene, in conflict with Arun District Local Plan Policies GEN7 and DEV19.
- 2 The proposed extension would obliterate an important visual gap maintained to the

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western end of the street and would therefore compromise the open and spacious characteristic of the surrounding area, in conflict with Arun District Local Plan Policies GEN7 and DEV19.