

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

REF NO: M/53/12/

LOCATION: 7 Kingsmead Gardens
Bognor Regis

PROPOSAL: Remove the existing conservatory & form new garden room, form new extensions to bedroom 3 & dressing room to master bedroom. Extend the width of the existing garage & connect roofs

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The garden room is to measure approximately 3.4 metres in width x 3.9 metres in depth x 2.8 metres in height. The bedroom extension would measure approximately 2.6 metres in depth x 2.8 metres in height.
SITE AREA	Approx. 640 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Close boarded timber fencing enclosing rear garden, approximately 2 metres in height.
SITE CHARACTERISTICS	Detached single storey dwelling, red brick elevations and red tiled roof. Extensions and conservatory to rear. Corner plot.
CHARACTER OF LOCALITY	Residential cul-de-sac. Characterised by detached bungalows.

RELEVANT SITE HISTORY

M/32/99/	Extensions to provide new dressing room, dining room, kitchen, conservatory and enlarge existing sitting room and bedrooms 1 & 2. Alterations to provide new study and enlarge existing bathroom	Approve Conditionally 02-07-1999
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REPRESENTATIONS

Representations received:

Middleton Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Southern Water Planning

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:

[GEN7](#)
[DEV19](#)

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

MDS

Middleton-on-Sea Village Design Statement by
Middleton PC

POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

EMERGING LOCAL PLAN

The Emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 permission for single storey additions to the side and rear of the existing dwelling and garage. The single storey additions to the dwelling would replace an existing conservatory and infill a recess created by previous extensions to the property. The scale and siting of these dwellings mean that they would not be visible within the street scene and would not impact upon the established appearance of the locality. The garage is however visible and the addition would be viewed from the public domain. Whilst it is visible, it would not be detrimental to the visual amenity of the area with only a minimal change to the appearance of the building noted.

The proposed garage addition will extend up to the shared boundary with 24 Ancton Lane, given that the height will remain as existing and the proximity of the boundary to the existing structure, the addition will not have any detrimental impact upon the amenity of the adjoining site. Similarly, the single storey flat roof nature of the extensions to the dwelling would not impact upon the properties adjoining to the south and east of the site.

It is therefore recommended that the application be approved subject to conditions set out below.

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 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:

Drawing No.s 1001/08 A; 1001/07; 1001/01; 1001/02; 1001/04; 1001/05; 1001/03; 1001/06.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies DEV19 and 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, DEV19

NATIONAL POLICIES: NPPF

SUPPLEMENTARY GUIDANCE: Middleton Design Statement

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.