

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

REF NO: P/28/12/

LOCATION: 92 Harbour View Road
Bognor Regis

PROPOSAL: Alterations & extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of garage with front and rear extension to create bedroom/study accommodation. Front extension measures approximately 3m in width, depth of 1.4m and a maximum height of 4.4m. Rear extension measures approximately 3m in width, depth of 2.2m and a maximum height of 2.7m. The flat roof utility room extension measures approximately 1.9m in width, depth of 6.5m with a height of 2.7m.
SITE AREA	Approximately 714 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is open to the highway, rear, north and south side boundaries have close boarded fencing approximately 1.5m-1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with front porch. The property has light brown brickwork and white render, white window frames with a concrete tiled roof.
CHARACTER OF LOCALITY	Residential comprising semi-detached and detached bungalows of similar style and design.

RELEVANT SITE HISTORY

P/47/06/	Extend recessed brickwork to front of bungalow and change existing large flat window to smaller bay window and add a conservatory to rear	Approve Conditionally 15-05-2006
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REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

PDR - Open Plan Condition

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

The dwelling has an attached garage and the application seeks to convert this with a front and

rear extension to provide additional bedroom/study accommodation. It also seeks to construct a single storey flat roof extension on the side adjacent to the kitchen to create a utility room.

The proposed extension to the front of the garage will have a pitched roof that will be slightly lower than the main ridge height and will be approximately 3m in width, depth of 1.4m with a maximum height of 4.4m and the up and over doors will be replaced by a bay window. The rear extension will have a flat roof and will be approximately 3m in width, depth of 2.2m with a height of 2.7m. The neighbouring property to the north No 90 has been extended to the front/side and sited to the boundary with No 92 and the proposed front extension will be set forward of this property by approximately 0.4m.

The flat roof utility room extension will be sited on the southern side of the dwelling and will be sited to the boundary with the neighbouring property No 94. It will be approximately 1.9m in width, depth of 6.5m with a height of 2.7m. No 94 has a car port on the side that is sited to the boundary with 92.

With regard to residential amenity with the absence of windows on the side elevations of the extensions it is not considered that the proposal would detrimentally harm the occupiers of No 90 and 94 by way of overbearing affect, unacceptable overshadowing and loss of outlook. However, if approved, a condition will be imposed that no windows shall be constructed in the side elevations of the extension without the submission of a planning application.

The extensions are considered to be visually subservient to the host dwelling and although visible in the street scene would not be of an obtrusive nature, nor would they harm the established character and appearance of the surrounding residential area.

It is therefore recommended to approve the application, subject to 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 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 no impacts (negative, Neutral or positive) 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: Location/Block Drg No 1214/P/01, Floor/Roof Drg No 1214/P/04, Elevations Drg No 1214/P/05 , Prospective Views Drg No 1214/P/06 received on 12th April 2012.

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 No windows shall be constructed in the north and south side elevations of the extensions hereby permitted which adjoins the side boundary with No 90 and 94 Harbour View Road without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 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: GEN2, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

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