

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

REF NO: P/51/13/

LOCATION: 9 Shirley Close
Bognor Regis

PROPOSAL: Proposed loft conversion (with rear facing dormer), single-storey rear extension with internal alterations to suit, removal of existing detached garage with replacement detached garage in new position.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed dormer measures approximately 6.2m in width, depth of 4.4m with a height of 2.5m. The proposed single storey rear extension measures approximately 6.5m in width, depth of 5m with a maximum height of 4.4m. The proposed detached garage measures approximately 3.4m in width, depth of 7.5m with a maximum height of 3.2m.
SITE AREA	Approximately 290 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Rear is open to the highway, north side boundary has hedging approximately 1.8m-2m in height, south side boundary and rear boundary close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Semi-detached bungalow with conservatory on rear, single garage to rear on north side boundary (both to be removed). The property has white rendered walls, white window frames with a tiled roof.
CHARACTER OF LOCALITY	Semi-detached bungalows in close of similar style and design, bungalows detached and semi-detached in surrounding area.

RELEVANT SITE HISTORY

P/67/68

Garage

Approve

08-05-1968

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection

7 Letters of Objection

Replacement garage is too high and will reduce the amount of winter sun reaching my home and garden. It should be a flat roof the same as the existing.

The area is currently mainly single storey dwellings and the dormer extension is out of character with the surrounding area.

Bungalow status will be removed from the area and open the floodgates for other extensions.

Surrounding properties will be overlooked and have their privacy removed.

Velux windows on the rear would be more suitable than a dormer.

Overdevelopment of the property.

Loss of privacy to rear gardens in East Mead.

Kings Beach Estate is a bungalow estate and should be kept as such.

Comments on Representations received:

Parish Council comments noted.

Objection comments noted

Substitute plans have been received which have reduced the height of the garage.

It is noted that the dormer windows may have the potential for overlooking onto the rear gardens in East Mead. However, Kings Beach Estate has no restrictions regarding rear dormers and a dormer of a similar size and height could be constructed under "Permitted Development" without the need for the submission of a formal planning application.

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

SUPPLEMENTARY POLICY GUIDANCE

PDS

Pagham Parish Council's Village Design Statement by PaghamPC

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 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 lies within the built up area boundary where development is acceptable. In this instance Policy DEV19 applies which relates to extensions to existing residential buildings.

CHARACTER AND APPEARANCE

The semi-detached bungalow is sited within a cul-de-sac comprising semi-detached bungalows, many of which have been extended on the rear. The proposal is to convert the roof space with a rear dormer to create two bedrooms with a wc. A single storey extension on the rear is also proposed with a replacement garage sited on the northern side boundary.

The existing conservatory on the rear is to be removed and the proposed single storey extension will be the whole width of the dwelling with a rear projection of 5m with a hipped roof that slopes

away from the neighbouring property to a maximum height of 4.4m.

The proposed rear dormer will be no higher than the existing ridge height. It will extend the whole width of the dwelling with two windows on the rear that will serve bedroom accommodation with the installation of two roof lights to the front and it will be clad in a weatherboarding blue/grey in colour. The pitched roof single storey extension will be the whole width of the dwelling and will project out by approximately 5m.

The existing flat roof garage which is sited on the northern side boundary is to be removed. The replacement garage which has a pitched roof and larger footprint will be sited on the northern side boundary but further into the rear garden with a maximum height of 3.2m. The garage which is to be constructed of brick to match the host dwelling will have blue/grey weaterboarding on the upper level of the gable that will match the rear dormer.

RESIDENTIAL AMENITY

The adjoining property No 11 has a rear extension that is sited to the boundary with No 9 and the proposed extension will be set in line with this extension. The properties to the rear in East Mead are sited approximately 24m away. The rear dormer serves bedroom accommodation and although there is the potential for overlooking to these properties, it is not considered to be of an unacceptable level to warrant a refusal.

The garage being sited to the boundary with the neighbouring property No 7 will be positioned approximately 12m away from the main dwelling. With its pitched roof sloping away from the boundary of No 7 although visible above the boundary fencing it is not considered to be of a harmful nature to recommend refusal.

SUMMARY

From a site visit it was noted that there was the absence of rear dormers in Shirley Drive. A similar sized dormer being under 50 cubic metres could be constructed under "Permitted Development". However, in this instance the dormer is less than 20 centimetres from the eaves of the original roof and does not comply with Class B A.2 of this schedule and in view of this it would be unreasonable to recommend refusal. The extension and detached garage are of a size and height that are in keeping with the plot size and would not impact upon the street scene or character and appearance of the surrounding residential area.

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: Location 1:1250/Site 1:500, Existing/Proposed Floor Drg No 001, received on 10th June 2013, Proposed Elevations/Floor & Elevations of Garage Drg No 002 Rev A received on 9th July 2013.

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 The materials and finishes of the external walls and roof of the extension and garage hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **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.