

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

REF NO: P/54/12/

LOCATION: 9 Viscount Drive
Bognor Regis

PROPOSAL: Relocation of the existing rear conservatory to the front, new rear conservatory, install patio windows and glazed screens to first floor rooms and install cladding to first floor level of the rear elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The relocation of the existing conservatory on the rear to the front main entrance measures approximately 3.3m in width, depth of 1.7m with a height of 3m.
SITE AREA	Approximately 504 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is open to the road, rear has hedging approximately 1.8m in height then foreshore, side boundaries close boarded fencing/hedging approximately 1.8m-2m in height.
SITE CHARACTERISTICS	Detached two storey property with detached garage to front on north west side. Rear conservatory the subject of this application to be relocated to the front. The property has red brickwork, white window frames with a concrete tiled roof. Driveway also serves adjacent property No 7 Viscount Drive.
CHARACTER OF LOCALITY	Residential comprising detached and semi-detached chalet style properties.

RELEVANT SITE HISTORY

P/36/91	Extension to lounge and bedroom.	Approve Conditionally 28-05-1991
P/79/77	Detached house with double garage	Approve Conditionally 05-10-1977

REPRESENTATIONS

Representations received:

Pagham Parish Council
No objection

Letter of Rep

The only concern regarding the application would be to any balcony being erected to the rear which would cause overlooking to neighbouring garden. As the proposal is to fit juliette balconies this would be impossible to step out onto the box gutter and glazed roof of the conservatory.

Comments on Representations received:

Rep comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
PDR/Open Plan Condition
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	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 application seeks to relocate the existing conservatory on the rear elevation to the front and construct a new conservatory on the rear with the installation of patio windows with a glazed screen to the rear. Removal of the existing tile hanging on the rear upper level with the installation of cladding.

The existing white PVCu conservatory is sited in the middle of the property on the rear elevation and measures approximately 3m in width, depth of 1.7m with a height of 3m. This is to be relocated to the front elevation and will replace the existing open canopy over the main entrance door. A new conservatory is to be installed on the rear eastern side which will have a width of 6.5m, depth of 5m and a maximum height of 3.2m.

The three windows at first floor level on the rear elevation are to be removed and the openings increased to facilitate the installation of double glazed sliding doors with juliette glazed guard rails. As the windows do not increase any floor area they cannot be used as a balcony so the proposed installation would not significantly increase the potential for overlooking than currently exists. The rear elevation has existing tile hanging at first floor level and this is to be replaced with light blue cladding.

With regard to residential amenity the neighbouring property to the east No 11 is sited approximately 4m away and the neighbouring property to the west No 7 approximately 8m away. Due to its single storey height and adequate distance to neighbouring properties it is not considered that the conservatory and alterations to the windows would create any unacceptable overlooking or create loss of outlook to the occupiers of No 7 and 11.

The proposal is considered to be visually subservient to the host dwelling, would not be out of keeping within the street scene, nor would it be out of character and appearance within the surrounding residential area.

It is therefore recommended that the application be approved, 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 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: Site/Block Drg No MB/12-306/04 Rev A, Floor/Elevations/Roof Drg No MB/12-306/06 received on 9th July 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 The materials and finishes of the external dwarf plinth wall of the conservatory hereby permitted shall match in colour and texture those of the existing building.

Reason: 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: 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

P/54/12/

appear in the Officer report.