

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

REF NO: AB/12/14/

LOCATION: 3C Fitzalan Road
Arundel

PROPOSAL: Ground floor extension to form an enlarged garage, with a new porch and a first floor extension to form 2 new bedrooms over.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed two-storey extension will be achieved by building over the existing flat roof garage and extension to the side of the dwelling. Roof ridge height will match that of the existing roof. A rear elevation will have a catslide slope in which a dormer will be installed. Additionally, a single-storey extension will be made to the front of the dwelling, projecting 1.25 metres forward of the existing front elevation, at a width of 5.45 metres. Height to roof ridge of this extension will be approximately 3.69 metres.
SITE AREA	Approximately 285 square metres
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low brick wall and hedging along frontage. Side and rear elevations marked by approximately 1.5 - 1.8 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by a semi-detached two-storey dwelling that has red/brown brick elevation walls and a tiled, gable ended roof. A single-storey flat roof garage has been added to the side (northern) elevation and a further flat roof extension has been added to the side, behind the garage. There is also a single-storey flat roof extension to the rear of the dwelling.
CHARACTER OF LOCALITY	The site is located on a section of residential road that is lined by mixed residential development, predominantly in the form of semi-detached and terraced two-storey dwellings. There are blocks of garages directly to the rear of the site followed by open fields and countryside. A sizeable proportion of nearby properties have been extended or altered in some manner.

RELEVANT SITE HISTORY

AB/50/09/	Ground and first floor extension to form a garage and bedroom.	ApproveConditionally 13-07-2009
AB/120/13/	Two storey extension to form bedroom and garage	Refused 21-01-2014

REPRESENTATIONS

Representations received:

No Objection.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water - The site lies close to or over an existing public foul sewer. An informative relating to connection to a public sewer is requested.

Comments on Consultation responses:

None. Informative requested has been imposed.

POLICY CONTEXT

Within Built-Up Area
Flood Zone 3

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2 GEN7 DEV19	Built-up Area Boundary The Form of New Development Extensions to existing residential buildings
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Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections (February 2014):	D DM1 Aspects of Form and Quality D DM4 Extensions & Alterations to Existing Buildings
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PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council
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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 215 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 agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

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 proposal follows AB/120/13 which was refused on account of the unacceptable adverse impact a two-storey hipped roof projection to the front of the dwelling would have had upon the character and appearance of the street scene as well as towards the dwelling itself. The current application has omitted this feature, other elements remain unchanged.

The proposed works will alter the appearance of the dwelling frontage by increasing its width at two-storey level. However, it is noted that the street is characterised by buildings of a variety of designs and the extended dwelling will therefore not appear obtrusive or divorced from its surroundings. The two-storey flank wall of the proposed extension will run directly alongside the northern site boundary, which is currently bordered by a two-storey extension at the neighbouring property, 3b Fitzalan Road. This will undoubtedly produce a visual impression of terracing. However, there are a number of terraced properties on Fitzalan Road, including directly opposite the site and it is therefore not considered that this visual effect will cause unacceptable harm towards the character and appearance of the surrounding area.

Although the ridge height of the two-storey extension will match that of the existing roof, its other proportions are smaller than that of the host building and the roof line of the extension will be broken up with stepped down sections. This will help break up the mass of the extension. It is therefore considered that the extensions will maintain visual subservience towards the host dwelling. The pitched roofing installed over the extensions will complement that of the existing building. Eaves and ridge lines of the roof over the existing dwelling will be continued, helping to strengthen visual assimilation and create a smooth transition between the extension and the host dwelling.

The two-storey extension will run alongside a windowless two-storey flank wall belonging to the neighbouring property, 3b Fitzalan Road, and the height of the extensions will be comparable to that of neighbouring properties. It is therefore considered that it will not appear overbearing and will not cause undue overshadowing of neighbouring windows or amenity space. All new windows facing to the front will look towards the street; those facing to the rear will be directed towards the far end of the site and the garage block which it backs onto. Any views towards neighbouring amenity space would be at an angle and would be interrupted by existing site boundary treatment. As such, it is considered that no intrusive levels of overlooking will arise.

Overall, it is considered that the removal of the two-storey hipped roof addition to the front of the dwelling, which formed part of the previous application, will ensure the works appear less haphazard and cluttered and, thereby, appear more in keeping with the street scene and better integrated towards the overall form of the existing dwelling.

It is therefore recommended that the application is approved, subject to the following conditions.

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, it has been determined that it would result in a neutral 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).

As such, there is no requirement for specific mitigation measures to be implemented.

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:-

13211/1b;
13211/2b;
13211/3b

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 **INFORMATIVE:** The applicant is advised to discuss the proximity of an existing sewer and ownership of sewers with Southern Water. In addition a formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk
- 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 identifying matters of concern within the previous application (AB/120/13) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.