

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

REF NO: AB/33/18/HH

LOCATION: 6 Birch Close
Arundel
BN18 9HN

PROPOSAL: Extension of garage, replacement of conservatory, reordering & associated works

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to extend the existing garage by 5m and reconfigure internally to create a bedroom and bathroom. It also seeks to replace the existing conservatory with a similarly sized extension.
SITE AREA	Approx. 929.3sq.m.
TOPOGRAPHY	The site is sloping from right to left, as the property to the North appears set approximately 20cm higher than the proposal site.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2m close-boarded fencing to sides and rear, open plan to front.
SITE CHARACTERISTICS	The site is populated by a bungalow.
CHARACTER OF LOCALITY	The area is populated by similarly designed bungalows.

RELEVANT SITE HISTORY

Noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Parish Council - No objection.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

[Arundel Neighbourhood Plan 2014 POLICY1:](#)

The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Arundel Parish has a 'made' neighbourhood plan, Policy 1 is considered to be relevant to this development.

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies. In this case, the key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan, Policy 1 of the Arundel Neighbourhood Development Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed garage extension is clearly visible within the street scene, as it extends 5m closer to the highway. The proposed extensions matches the existing eaves height and slope angle as it continues the Northern roof aspect further to the East. This allows the extension to have no significantly adverse

impact on the established character or spatial pattern of the area. The extension is considered to be well integrated and sympathetic to the host dwelling as a result of its design and matching materials.

The proposed replacement of conservatory is considered to be an improvement when compared to what currently exists. This is because the proposed extension matches and continues the roof slope, which is considered to cause the extension to appear sympathetic and well integrated with the host dwelling.

Therefore, the proposal is considered to be in accordance with GEN7(ii), DEV19(i) and (ii) of the Arun District Council Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed extensions continue existing roof slopes, and do not extend above single storey. Therefore, the proposal is not considered to result in any significant overbearing or overshadowing impact on neighbouring properties. There is not deemed to be a significant loss of privacy as the view from the windows is impeded by the fencing that lies between the site and its neighbours. Additionally, as the proposed extensions are single storey, the views from both are ground floor, and are therefore no different to those available from the garden if there were no fencing.

The proposal is deemed to accord with policies GEN7(iv) and DEV(iii) of Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

In assessing this proposal the following impacts 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).

The proposal would have a neutral impact on the protected characteristics.

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:

- Proposed Site/Block Plan - 17115 - 02.01 - March 2018
- Ground Floor Plan Elevations and Typical Cross Section As Proposed - 17115 - 02.02 - March 2018
- Proposed Roof Plan - 17115 - 02.03 - March 2018

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 roofs of the development 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 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.