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

REF NO: **AB/52/13/**

LOCATION: 13 Ford Road
Arundel
West Sussex

PROPOSAL: Proposed single-storey rear extension, conversion of existing rear extension roof space (including roof extension in the form of a dormer window)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed single-storey extension measures approximately 2.2 metres in width by 4.7 metres in depth and 3.1 metres to rooftop height. The proposed dormer projects approximately 2.5 metres from the existing roof slope, at ridge height and extends down to eaves level. It will run along an approximately 4.5 metre section of the existing roof.
SITE AREA	Approximately 230 square metres.
TOPOGRAPHY	The site slopes downwards towards the rear but has been levelled around the dwelling through the use of decking and terracing.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Consists of a mixture of timber fencing, sections of brick wall and coniferous hedging, ranging from approximately 2 to 3 metres in height. There is a lowered section of fence where an access path which serves the property and its neighbours passes through the site.
SITE CHARACTERISTICS	The site is occupied by a terraced two-storey dwelling that has red brick elevation walls and a tiled, gabled roof. There is a gable ended single-storey projection to the rear that is shared with the adjoining property, No. 15 Ford Road.
CHARACTER OF LOCALITY	The site is located on a section of road that is bordered by a linear arrangement of terraced dwellings which are fairly uniform in appearance with regards to frontage although many have had alterations and additions made to the rear. The site backs onto paddocks which in turn back onto the River Arun. The area to the rear of the dwelling falls within Flood Zone 3.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area
Flood Zone 3

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN11	Inland Flooding
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to potential impact upon the character and appearance of the surrounding area and the amenities of any neighbouring residents.

The Development Plan consists of the Arun District Local Plan.

It should be noted that the Arun District Local Plan was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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

The proposed works will be carried out to the rear of the dwelling and will not project above the existing roof slope, as such, they will not have a visible presence within the street scene. Additionally, they will not be readily visible from the footpath to the rear of the site that runs along the bank of the River Arun, due to the distance maintained and screening by trees and other vegetation. It is also noted that there are a number of neighbouring properties where similar levels of development to that proposed have been undertaken. It is therefore considered that the proposal would not adversely impact upon the character and appearance of the surrounding area.

The proposed extensions are considered to be of modest proportions in relation to the size of the existing building and, as such, they will maintain a clear visually subservient relationship towards it. The flat roof design of the proposed extensions help maintain a low profile and, whilst not reflecting the gable roof features of the host dwelling, they will also not conflict with them.

With regards to potential impacts upon the amenities of neighbouring residents, the single-storey extension will be built adjacent to the boundary shared with No. 11 Ford Road and the side elevation will form a party wall. This will replace the existing brick wall and fence which is of a similar height. It is noted that there are windows at the neighbouring property which face towards the boundary, however, a sufficient distance will be maintained to prevent any unacceptably adverse overbearing or overshadowing presence which, in any case, will not increase in any great level over that which is already produce by the boundary fence and wall. The proposed dormer is positioned away from the site boundary and will not increase the height of the roof slope in which it is to be installed. It will therefore not appear overbearing or cause any material increase in overshadowing.

Views from the extended ground floor window will be similar to that of the existing feature and the line of sight towards neighbouring properties will be interrupted by existing site boundary treatment. The proposed first floor dormer window will be obscure glazed, its proximity to first floor windows at neighbouring properties is noted and, as such, it is considered that a condition requiring obscure glazing to remain in place at all times would be appropriate in the interests of privacy.

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

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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, no specific mitigation measures are required.

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:-

1:1250 Location Plan;
1:500 Block Plan;
001;
002;

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 The materials and finishes of the external walls of the single-storey extension hereby permitted shall match in colour and texture those of the existing dwelling.

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

4 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment which accompanies this application and the following mitigation measures detailed within the FRA:

1.) Finished floor levels will be set no lower than existing floor levels.
2.) Flood proofing will be incorporated where appropriate.

Reason: To reduce the risk and impact of flooding to the proposed development in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

5 The first floor window on the side elevation of the approved dormer shall at all times be glazed with obscured glass and, where less than 1.7 metres above floor level, be fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

6 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, GEN11, DEV19

NATIONAL POLICIES: National Planning Policy Framework

SUPPLEMENTARY PLANNING GUIDANCE: Arundel Design Statement

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

7 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.