

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

REF NO: AB/89/15/HH

LOCATION: 29 Woodview
Arundel

PROPOSAL: Rear single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a single storey extension across the rear of this dwelling. The extension would be 7.9m wide and 2.3m deep. It would have a lean to type roof, with eaves at 2.38m and top of roof at 3.62m which would be immediately below cill level of the first floor rear windows. The proposed extension would also have 2 small roof lights. Accommodation proposed as a bathroom and further living space. Materials are proposed to match those of the existing dwelling.

SITE AREA

Approximately 0.03 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The area is a medium density residential one.

TOPOGRAPHY

The land to the rear of the dwellings on this south east side of Woodview fall away south eastwards, although not steeply.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The rear boundaries of the site are a 1.5m wall adjoining no.27 and outbuildings adjoining no.31.

SITE CHARACTERISTICS

The site is occupied by one of a pair of semi-detached dwellings. These have hipped roofs and are constructed of red brick, with small red/brown plain roof tiles. There is a small rear single storey bathroom element which is of similar height to the proposed extension, although this has a ridged roof and rear gable and is to be demolished.

The adjoining dwelling has a single storey rear extension with low lean to sloping type roof. This is approximately 2m in depth.

CHARACTER OF LOCALITY

The area is residential in character.

RELEVANT SITE HISTORY

AB/92/89	Larch lap fence to front boundary	Approve 30-08-1989
AB/56/99/	Construction of 2 storey front extension to provide breakfast room and bathroom	ApproveConditionally 01-07-1999
AB/60/85	Extension to existing dwelling	ApproveConditionally 08-05-1985

None.

REPRESENTATIONS

Representations received:

Arundel Town Council

Arundel Town Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water (SW) has requested an informative relating to connection to the public sewerage system and also made comments regarding the potential for sewers to cross the site.

Comments on Consultation responses:

Both matters raised by SW can be dealt with by informatives.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arundel District Local Plan 2003: GEN2
GEN7
DEV19
GEN12

Publication Version of the Local Plan (October 2014):

SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design
T SP1 Transport and Development
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

SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council
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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.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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 on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Arundel has a Made Neighbourhood Development Plan (NDP). A relevant policy in the NDP is:

Policy 1: The Presumption in Favour of Sustainable Development

Planning applications which accord with the policies in the Neighbourhood Plan will be approved, unless material considerations indicate otherwise. Planning permission will also be granted where

relevant policies in the Neighbourhood Development Plan are out of date or silent unless:

- other relevant policies in the Development Plans for Arun and the South Downs National Park indicate otherwise;
- or any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against the policies in the National Planning Policy Framework taken as a whole;
- or specific policies in the Framework or other material considerations indicate that development should be restricted.

Arundel Town Council will take a positive approach to its consideration of development. The Town Council and the local planning authorities will seek to work with applicants and other stakeholders to encourage the formulation of development proposals that can be approved.

Arundel Design Statement (ADS)

The ADS was produced by Arundel Town Council and Arun District Council resolved on at Cabinet on 11th February 2008 that the Arundel Design Statement be endorsed as a Material Planning Consideration.

What is the purpose of Design Statements? The purpose of Design Statements is to improve and encourage better quality design in towns and villages and are useful for all types of development not only that requiring planning purposes.

The Local Planning Authority may endorse a Design Statement as a material planning consideration in determining planning applications as long as the Statement complies with national and local planning policy. Where a Design Statement has been endorsed by Local Planning Authority it will be seen to carry more weight when planning applications are being determined or at appeal.

The application site is within Character Area 3 and this is noted in the ADS as:

Character Area 3: Ford Road, Kirdford Road, Woodview.

Kirdford Road is characterised by 2 storey terraced housing. They have side alleys with access through other gardens, and no off street parking. Woodview is very similar down the Kirdford road end, but more bungalows are present towards the other end.

Planning Guidelines

Alterations and Conversions

The alteration and conversion of buildings affects both the buildings themselves and the area as a whole. In this section we deal with the impact on the fabric and integrity of the area.

- Inappropriate Changes to the essential character of the buildings should be resisted. Following extension or conversion it should be possible to appreciate the structure and appearance of the original building.

- The architecture of the non-conservation area is very varied but it is possible to characterise the nature of the smaller areas identified. Changes of use or new developments must respect the inherent character of the locality.
- Any alterations should be in keeping with these original features as they provide the character of the area.
- Any alterations should be in-keeping with the immediate environment.
- Materials, and colour used on alterations, redecorations, extensions and new developments should reflect and be sympathetic with the appropriate surrounding buildings.

The proposal is considered to be generally consistent with the Neighbourhood Development plan and with the Arundel Design Statement.

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 is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case are considered to be policies GEN7, DEV19 and GEN12 which seek to prevent development that would have an adverse impact upon visual and residential amenities and also seek to ensure that parking provision is satisfactory. Policies D DM1, D DM4, D SP1 and T SP1 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities and also seek to ensure that parking provision is satisfactory.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in limited change to the appearance of this dwelling and will only be visible from the rear. The scale of the proposal is such that visual impact would be very limited. The proposal is

sympathetic to the appearance of the existing dwelling in design and appearance terms. Matching materials are proposed.

It is therefore considered that the extension is acceptable in design and visual amenity terms and complies with policies.

RESIDENTIAL AMENITY

The proposed extension has no side windows and does not give rise to privacy loss in this sense. The extension will be approximately 800mm deeper than the extension to no.27, but will not encroach significantly into outlook from rear windows in this adjoining extension nor will it result in appreciable light loss.

The proposed extension will be close to the boundary and it will obstruct a side window in the adjoining extension. However, this window overlooks the rear of the application site and results in privacy loss. It is not considered, given that the adjoining extensions retain unaffected rear windows, that the proposal will result in unacceptable light loss. It should be noted that the adjoining occupiers have not made any representations.

It is therefore considered that the extension is acceptable in residential amenity terms and complies with policies.

PARKING

At the present time, the application dwelling benefits from 1 parking space. The extension will result in slightly increased accommodation and a dwelling of this size should have 2 car parking spaces. An additional space would be difficult to provide at the site as the site frontage is of limited depth. There is 1 on-site parking space. The dwelling is however located close to facilities and public transport. It is not considered that given the constraints to providing an additional parking space it would be reasonable to withhold planning permission on this ground only.

It is therefore recommended that the application be 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 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 Neutral 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).

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 drawings:

Drawing Number 14721/03 Rev A - Block Plan - Dated July 2015

Drawing Number 14721/01 - Existing & Proposed Plans - Dated January 2015

Drawing Number 14721/02 - Proposed Elevations - Dated January 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

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

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 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.

- 5 **INFORMATIVE:** Southern Water has advised that a formal application for connection to the public sewerage system may be required in order to service this development. Please contact Southern Water at Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW.

Tel: 0330 303 0119.

W: www.southernwater.co.uk

- 6 INFORMATIVE: Southern Water has advised that due to changes in legislation that came into force on 1st October 2001 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public might cross the site or be close to it/affected by development potentially. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW

Tel: 0330 303 0119.

W: www.southernwater.co.uk