

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

REF NO:	AL/118/17/HH
LOCATION:	Northfields Hook Lane Aldingbourne PO20 3TE
PROPOSAL:	Demolition of rear conservatory & side garage & erection of a single storey rear extension & two side extension together with alterations to existing front extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed single storey extension measures approximately 3m deep, 5.5m wide and 3.7m high (max)
	The proposed two storey side extension measures 7.5m long, 3m wider and 5.5m high with a flat roof.
	Alterations to the porch involving moving the door to the front of the porch and infilling the previous doorway.
	Materials would match the existing property.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the site is open with an access drive which is shared with property to the south. The northern boundary has a mature hedge. At the rear has a timber fence approximately 1.5m high.
SITE CHARACTERISTICS	Semi detached two storey property constructed of brick beneath a tile roof. The property has a conservatory at the rear. It is set on a reasonable sized plot
CHARACTER OF LOCALITY	Residential, there is a new development under construction closeby.

RELEVANT SITE HISTORY

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

Aldingbourne Parish Council object for the following reason and refer to policy H1 of the ANP. This outlines the quality of design which would be acceptable and in this case a pitched roof would be preferable.

No response to public consultation

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and addressed in conclusions.

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Southern Water has no objection and recommends an informative on any permission.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside the built up area

Lidsey Catchment Area

DEVELOPMENT PLAN POLICES

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

GEN3	Protection of the Countryside
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

[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

[Aldingbourne Neighbourhood Plan 2016 POLICY H1](#)

New housing or altering dwellings

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).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality properties, and 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 dwelling is located outside of the built-up area boundary. However, Policy GEN3 of the Arun Local Plan states that development in the countryside is acceptable where it accords with a policy in Sections 2 & 3 of the plan referring to a specific use or type of development (such as Policy DEV19 "Extensions to Existing Residential Buildings").

Arun Local Plan Policy DEV19 states that:

"Planning permission will be granted for extensions to existing residential buildings, provided that:-

- (1) the extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
- (2) the extension is visually subservient to the main building;
- (3) the extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;
- (4) in streets characterised by relatively small gaps at first floor level between buildings, any extension at first floor level does not come to within a minimum of one metre of the side boundary;
- (5) the extension does not compromise the established spatial character and pattern of the street."

In addition to DEV19, it is also necessary to consider Aldingbourne Neighbourhood Plan Policy H1 this states that:

"Proposals for new housing or extending or altering existing dwellings should be of a high quality design that reflects the local character and reinforces local distinctiveness. Proposals must demonstrate how they meet the policies set out in the Plan."

The proposed development comprises 3 components a single storey rear extension, two storey side extension and alterations to the porch involving moving the door to the front of the porch and infilling the previous doorway.

The proposed porch changes are minor and are not considered harmful to the character and appearance of the area or the host property.

The rear extension is set within the rear elevation of the house and replaces the existing conservatory. Although the proposed extension is of greater height and bulk than the conservatory, with the lean to roof being just below cill level of the first floor windows, it is considered that on balance the proposed extension is subservient to the main house. It is not visible from the road and materials would match the existing property. As such this aspect of the proposed scheme is not considered to be harmful to the character and appearance of the wider area or the host property.

The two storey side extension is set back from the front elevation by approximately 0.7m and from the rear elevation by 0.6m. The proposed extension would have a flat roof with the top of the extension

above eaves level of the existing property. The extension would be visible from the road although there is some screening when viewed from the north due to hedge and tree. It is considered that the proposed two storey flat roof extension would be an unduly dominant in the streetscene. Furthermore, due to the height of the extension above eaves level this would appear to have an unsympathetic relationship with the existing property. NPPF para.64 states, "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions." Therefore, due to the size and design of the two storey side extension, it is considered that the proposed development would be harmful to the character and appearance of the wider area and the host property.

With regard to impact to amenity of adjoining occupiers. The proposed two storey extension would be sited 0.9m from the side boundary with the property to the north and the single storey extension would be sited 4m from the boundary. There are no windows at first floor level in the proposed extension. Therefore, given the separation distance and the design the proposed development is not considered harmful to the amenity of adjoining occupiers to the north.

The proposed two storey extension will have no impact upon the property to the south due its position on the north elevation. The proposed single storey rear extension would be sited approximately 0.25m from the boundary with the adjoining property. The proposed extension would breach a 45 degree line of the nearest window. However, this is not considered significant and given the height and depth of the proposed extension it is not considered that this technical breach is sufficient to merit refusal on this ground.

There are no parking implications from the proposed development.

Therefore, notwithstanding that the single storey rear extension is acceptable and there is no impact on the amenity of adjoining occupiers, it is considered that the flat roof two storey side extension creates an obtrusive feature which is harmful to the character and appearance of the wider area and the host property. As such the proposal fails to comply with adopted planning policies in the Arun Local Plan, the NPPF and the Aldingbourne Neighbourhood Plan. The application is therefore recommended for refusal for the following reason.

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 private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 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

REFUSE

- 1 It is considered that the flat roof two storey side extension creates an obtrusive and dominant feature which is harmful to the character and appearance of the wider area and the host property. As such the proposal fails to comply with policies DEV19 of the Arun Local Plan 2003, H1 of the Aldingbourne Neighbourhood Plan the NPPF.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.