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

REF NO: **AL/33/17/HH**

LOCATION: Plum Cottage
Hook Lane
ALDINGBOURNE

PROPOSAL: Infill dormer extensions to rear first floor room & single storey extension annexe to enlarge covered area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to replace four existing flat roofed square shaped 1.5m wide east & west facing dormers within the rear projecting roof with two new rectangular 7.85m wide flat roofed dormers. The other dimensions will be largely the same as the existing dormers. In addition, a new pitched roof will be added to enlarge the covered area of the west side of the outbuilding. This roof will be partly attached and partly on column supports. It will be 3.2m to the ridge.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.8m high close boarded fence to the western boundary with the adjacent dwelling, Monsards. 2m high brick wall to the immediate front of the outbuilding running between the western boundary and the western corner of the house.
SITE CHARACTERISTICS	The site is occupied by a large one and a half storey detached dwelling which was originally a bungalow and has been extended over time. It has a rendered pale green finish at ground floor with red/orange pantile roof and dormers. The outbuilding is located behind a 2m wall & gates and is approximately 1m from the west side boundary. The outbuilding is part brick, part timber horizontal boarding and has a slate roof with red ridge tiles.
CHARACTER OF LOCALITY	Rural area but with residential ribbon development along this part of the north side of Hook lane. The adjoining dwelling to the west, Monsards is one and a half storeys with

2 rear facing dormers and is set forward of the outbuilding. It has a rear single storey, flat roofed covered area, a side extension for living accommodation and a garage between the dwelling and the boundary. There is a timber pergola on the other side of the fence from the proposed covered area.

RELEVANT SITE HISTORY

AL/57/02/	1st floor and rear extension	ApproveConditionally 30-07-2002
AL/7/03/	Front porch and side conservatory extension and front boundary wall as additional to that approved under AL/57/02	ApproveConditionally 14-04-2003
AL/48/03/	4no. small dormer windows to garage/playroom extension already approved under AL/57/02.	ApproveConditionally 13-08-2003
AL/46/16/HH	First floor extension to outbuilding & conversion works to create annexe.	ApproveConditionally 11-07-2016

Application AL/46/16/HH gave permission for the extension and conversion of the outbuilding into a residential annexe for use by the applicants son.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

"No objection"

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Class C Road;
Special Control of Adverts;
Lidsey Treatment Catchment Area; and
No Public Sewer.

DEVELOPMENT PLAN POLICIES

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):		C SP1 Countryside D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design
Aldingbourne Neighbourhood Plan 2016 POLICY EH1		Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY H1		New housing or altering dwellings
		Quality of Design

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of

modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

The relevant policies of the Aldingbourne Neighbouring Plan are considered within this report.

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 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 which 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."

CHARACTER & DESIGN:

The proposed dormer extensions are to an existing rear roof projection which is located behind the existing dwelling and as such is not visible from the streetscene. The dormers themselves will be subservient additions to the existing roof and also not significantly different in scale to the existing dormers.

The new covered area extension to the outbuilding is set some way back from the road and behind the building line of the neighbouring dwelling. The extension will be visible from the street albeit at a distance of 31m. It will be constructed in materials to match the existing outbuilding roof and therefore is capable of assimilating visually with the existing building.

RESIDENTIAL AMENITY:

The proposed dormers will be wider than the existing ones but will actually the decrease the number of individual window units (from 4 panes per elevation to 3). The dormers will not give rise to increased or adverse overlooking of neighbouring land.

The new pitched roof to the outbuilding will be located close to the boundary with Monsards but is far enough away from the rear of the actual dwelling so as not to result in any harmful loss of light to neighbouring windows. Any light loss that will occur will be in the morning and to the area to the rear of the neighbours garage. However, the limited height of the roof and its east/west sloped design should largely prevent any overshadowing of this area.

PARKING:

There is no material increase in the number of bedrooms and there is also already more than enough parking for the size of the dwelling.

SUMMARY:

It is recommended that permission be granted 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

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:

Location Plan Rev A;
Site Plan;
Proposed Ground Floor Building (Outbuilding);
Proposed First Floor Plan (House) Rev A;
Proposed Elevations (House);
Proposed Elevations (Outbuilding); and
Proposed Roof Plan.

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 extensions to the dormers hereby permitted shall match in colour and texture with those of the existing dormers.

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

4 The materials and finishes of the new pitched roof over the covered area hereby permitted shall match in colour and texture with those of the roof of the existing outbuilding/annex.

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

5 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.