

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

**REF NO:** AL/34/15/HH

**LOCATION:** 6 Elmcroft Place  
Westergate

**PROPOSAL:** Demolition of porch & conservatory & erection of single storey rear/side extension.

**SITE AND SURROUNDINGS**

|                                       |                                                                                                                                                                                                                                                                                                         |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | As above.<br><br>The proposed side porch would replace the existing porch and have a pitched roof, linking to the flat roof of the rear extension which would also include a roof lantern.                                                                                                              |
| SITE AREA                             | 196m <sup>2</sup>                                                                                                                                                                                                                                                                                       |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A                                                                                                                                                                                                                                                                                                     |
| TOPOGRAPHY                            | Predominantly flat                                                                                                                                                                                                                                                                                      |
| TREES                                 | None of any significance affected by the proposed development.                                                                                                                                                                                                                                          |
| BOUNDARY TREATMENT                    | 1.8m close boarded fence.                                                                                                                                                                                                                                                                               |
| SITE CHARACTERISTICS                  | Two storey detached dwelling with forward facing gable end roof constructed of red brick with clay roof tiles. Existing rear conservatory and detached garage to rear of back garden. The property has a small porch section to side which links the property to the neighbouring dwelling of number 5. |
| CHARACTER OF LOCALITY                 | Suburban residential area, cul-de-sac road formed of two storey detached, terraced and semi-detached properties and detached garages.                                                                                                                                                                   |

**RELEVANT SITE HISTORY**

No planning history as such. Property is relatively new build and the existing conservatory is part of the original dwelling.

**REPRESENTATIONS**

**Representations received:**

Aldingbourne Parish Council

No objection.

**Comments on Representations received:**

Comments noted.

**CONSULTATIONS**

Southern Water Planning  
Engineering Services Manager  
Engineers (Fluvial Flooding)

**Consultations responses received:**

Southern Water-

Formal application is required to connect to public sewer. Please include informative to make developer aware of this.

Drainage Engineer-

Surface water drainage should be provided for all new roof areas, prioritising infiltration. Please apply standard condition ENGD2A.

**Comments on Consultation responses:**

Comments noted. Whilst drainage engineers have suggested a condition it is not felt reasonable to impose such a condition in this case due to the relatively small modest increase between the existing extensions to be demolished and the proposed extensions.

**POLICY CONTEXT**

Designation applicable to site:

Adopted local plan  
Open Plan Condition  
PD Restriction  
Drainage

**DEVELOPMENT PLAN POLICIES**

[Arun District Local Plan 2003:](#) DEV19  
GEN2  
GEN7

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

Extensions to existing residential buildings  
Built-up Area Boundary  
The Form of New Development  
D DM1 Aspects of Form and Design Quality  
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)  
SD SP2 Built-Up Area Boundary

**PLANNING POLICY GUIDANCE**

NPPF  
NPPG

National Planning Policy Framework  
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.

**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.

Aldingbourne parish does not yet have a Neighbourhood Plan.

**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 within the built up area boundary as such the principle of householder extensions is acceptable in this location.

### **DESIGN**

The proposal would be visible from the footpath to front and partially visible from the road to the side. The design is considered to reflect the overall character of the property, is modest in size and residential in appearance. Materials to match have been proposed and their use will be ensured via condition. The proposal is considered to be acceptable in design terms.

### **NEIGHBOUR AMENITY**

As there is an existing rear conservatory number 7 will not see a substantial difference in mass from their windows or garden and the proposal is not considered to have a detrimental impact. The property to the other side (number 5) will also not be detrimentally affected as the flat roof facing the property would only be 2.8m high, limiting the impact on the neighbouring dwelling.

The proposal is recommended for conditional approval.

## **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 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 is considered to have a neutral impact.

## **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 1c, Site Plan and 2 received 9 April 2015.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the dwelling 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 roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 5 A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) [www.southernwater.co.uk](http://www.southernwater.co.uk)

- 6 **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.