

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

REF NO: AL/40/15/HH

LOCATION: 2 Hook Cottages
Hook Lane
Aldingbourne

PROPOSAL: Erection of pitched roof single storey extension at side

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks permission for the erection of a side extension to this chalet type dwelling. The extension would be on the west side of the dwelling and adjacent to the boundary with no.1. It would measure 4.69m in depth, 1.8m in width and be set back from the front wall of the dwelling by 0.45m. The side wall of the extension would be 0.25m from the boundary and the eaves 0.1m. The extension would be 2.3m high at eaves level and where its roof meets the roof plane of the existing dwelling 4.16m. The extension would have a lean to with cart slide roof appearance. Materials would match those the existing dwelling.

SITE AREA

The area of the site is approximately 0.03 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The immediate area is a medium density residential one and has been developed with a mixture of dwelling types, those either side of the site are also chalet type dwellings.

TOPOGRAPHY

Predominantly flat, although the site located on land which slightly rises northwards from the road towards the dwelling by approximately 1m.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front and front sides of the site are enclosed by an evergreen hedge of 2m to 3m in height. Behind this and rearwards boundaries are formed by 2m panel fencing.

SITE CHARACTERISTICS

The site is occupied by a chalet type dwelling which has a small side dormer on the east side and rooms in the roof. It has a deep rearwards

extension to the east side. Materials are cream render with small plain brown/red tiles. The dwelling has rear access from St Johns Close and a rear garage with parking in front of the garage and within the rear of the site through double gates.

CHARACTER OF LOCALITY

The dwelling is within a small group of chalet type dwellings. There are chalet dwellings on each side. The gable of no.1 faces the site and has 2 windows in the gable facing the site. No.1 also has a side lean to up to the boundary with the application site.

RELEVANT SITE HISTORY

AL/107/94	Single storey extension providing accommodation for disabled resident	ApproveConditionally 17-01-1995
AL/10/95	Change of use from amenity open space to private garden use	ApproveConditionally 31-03-1995
AL/49/86	Detached garage	Approve 14-07-1986

None.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Aldingbourne Parish Council raises no objection: 'Although close to the boundary the Parish Council do not object to this application).

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Lidsey treatment Catchment Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u> <u>DEV19</u> <u>GEN7</u>	Built-up Area Boundary Extensions to existing residential buildings The Form of New Development
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)

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.

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.

There is no Made Neighbourhood Plan for Aldingbourne.

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 is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1 and D DM4 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.

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, given the location of the extension and screening of the site.

The proposal has been sympathetically designed and is limited in scale, having a secondary appearance. There is considered to be no detriment to the street scene or to outlook.

Parking provision remains satisfactory.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension has no side windows and does not give rise to privacy loss in this sense. It has been designed so as to avoid impact on the joint boundary. The relatively low eaves and sloping roof mean that the extension will not have any significant impact on light and will not be

unduly dominant. The proposal is therefore in accord with policy.

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 the following impacts (negative, Neutral or positive) 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 15/14/18/1 Revision A - Proposed Elevations, Roof Plan & Block Plan - Dated May 2015

Drawing Number 15/14/18/4 - Proposed Floor Plan - Dated August 2014

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 roof of the 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 No windows shall be constructed in the west side elevation of the extension hereby permitted which adjoins the side boundary with no.1 Hook Cottages adjacent and to the west without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, 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.