

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

REF NO: AL/60/15/HH

LOCATION: 14 Church Road
Aldingbourne

PROPOSAL: Demolition of existing rear extension & erection of a single storey rear extension within the Church Road, Aldingbourne Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension measures 3m deep on the side with 16 and 7.6m on the side with 12. It is between 3.9 & 4.3m wide and has a flat roof to a height of 3m. The extension will effectively extend the kitchen and the existing downstairs bathroom.
SITE AREA	0.05 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat but the garden is at a slightly higher level than the house.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.9m close boarded fence to no. 16; and 1.8m close boarded fence to no. 12.
SITE CHARACTERISTICS	End dwelling of a 3 dwelling terrace. Outrigger design with a staggered rear building line. Narrow but deep rear gardens. Brick and render with a slate roof. No off street parking.
CHARACTER OF LOCALITY	Residential but mix of dwelling types & styles. Within the "Church Road, Aldingbourne" Conservation Area. No. 12 has no flank windows looking on to the site. No. 16 has a secondary kitchen window to the rear.

RELEVANT SITE HISTORY

AL/3/61	Additions alterations and drainage	Permit'd Devel 19-04-1961
AL/3/61/A	Additions and drainage	Permit'd Devel 27-06-1961

None.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Aldingbourne Parish Council - "no objection providing the development complies with the Conservation Area guidelines"

Conservation Area Advisory Committee:-

No objection - design of windows could be improved if multi-paned.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Officer - no comments made.

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designations applicable to site:

Extinguished AONB;
Class C Road;
Conservation Area; and
No Public Sewer.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [DEV19](#)
[AREA2](#)
[GEN3](#)
[GEN7](#)

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

Extensions to existing residential buildings
Conservation Areas
Protection of the Countryside
The Form of New Development
C SP1 Countryside
D DM1 Aspects of Form and Design Quality
HER DM3 Conservation Areas
HER SP1 The Historic Environment
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
ECC SP2 Energy and climate change mitigation

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

SPD2

Conservation Areas

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 have just completed a consultation period on the first draft of their 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. The character and appearance of the Conservation Area would be preserved.

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 application seeks permission to construct a single storey extension to the rear of the property which will extend across the width of the dwelling and back from the existing rear elevation by 3m on the side of the adjoining neighbour and 7.6m on the other side (owing to the staggered rear building line).

The extension will not be visible from the front of the dwelling and as such will not have any impact on the streetscene or the character/appearance of the Conservation Area. Furthermore, the proposal seeks to replace an existing UPVC roof with a zinc seam roof and this is considered to be a positive change in respect of the Conservation Area.

The extension is not considered to impact on no. 12 due to the gap between the two dwellings and the fact that the rear of the extension will be behind the rear of no. 12. The extension will impact on a 45 degree angle drawn from no. 16's rear window but as this window is a secondary kitchen window, no objection is raised. The use of the flat roof also reduces any loss of light to the neighbour. Extensions of up to 3m in length can be "permitted development" not requiring the submission of an application for planning permission.

A materials to match condition has only been part imposed owing to the change in roof materials. 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 respect for 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 & Block Plans Ref 15001-01B;
Proposed Plan & Elevations Ref 15001-03;
Existing Plan & Elevations Ref 15001-02; and
Existing & Proposed Roof Plan Ref 15001-04.

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 of the extension hereby permitted shall match in colour and texture those of the existing building.

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

- 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.