

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** AL/61/14/HH**LOCATION:** Southwell Cottage
Lidsey Road
Bognor Regis**PROPOSAL:** Ground floor extension.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed single storey flat roof extension measures approximately 6.4m in width, depth of 2.85m and height of 3m.
SITE AREA	Approximately 345 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary has wall plus close boarded fencing approximately 2m in height, south side boundary to Pear Tree Cottage close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Semi-detached dwelling with open air swimming pool enclosed in side garden, detached garage to north of site.
CHARACTER OF LOCALITY	Main road. Adjacent property to south, Farm Cottages to north east of site. Open fields to the rear and east.

RELEVANT SITE HISTORY

AL/33/93	Detached garage & new vehicular access (Resubmission following AL/77/92)	ApproveConditionally 21-05-1993
AL/29/03/	Outline application for one detached house (Departure from the Development Plan)	Refused 20-06-2003
AL/12/55	Conversion of 3 cottages to 2 dwellings and 2 garages	Approve 27-04-1955

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection.

1 Letter of Objection

The property is old and has character and this will totally change the appearance of the combined properties. It will also affect light into the dining room of the adjoining property.

Comments on Representations received:

Objection comments noted

See Conclusions section of the officer's report with regard to impact on neighbouring property.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Class A Road

Area of Special Control for Advertisements

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

[DEV19](#)

[GEN3](#)

[GEN7](#)

Extensions to existing residential buildings

Protection of the Countryside

The Form of New Development

[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

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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: Arundel; Barnham & Eastergate; Felpham.

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality, residential amenities of the neighbouring property and an adverse impact upon the established character of the surrounding rural 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 semi-detached property is sited adjacent to the main Lidsey Road and the front boundary is screened by a wall with close boarded fencing. The application seeks to construct a single storey flat roof extension on the front east side of the dwelling.

The proposed single storey extension will be sited adjacent to the entrance and will provide

bedroom accommodation with en-suite for a disabled relative. It will be set back from the neighbouring boundary Pear Tree Cottage by approximately 0.7m and will measure approximately 6.4m in width, depth of 2.85 with a height of 3m. The neighbouring property Pear Tree Cottage has a window on the front adjacent to the proposal that serves a dining room. In view of its siting it is considered that the proposed extension would create a loss of daylight and outlook to the occupiers.

The front extension will be visible above the boundary screening and would unbalance the symmetry of the pair of houses which would appear out of character and appearance with the host dwelling and surrounding area. It would conflict with the National Planning Policy Framework which promotes good design and requires development to respond to local character.

The proposal would have an adverse affect upon the host dwelling, character and appearance of the locality and the occupiers of the neighbouring property. Whilst it is noted that the extension will provide accommodation for a disabled relative these matters do not outweigh the harm caused as identified above.

It is therefore recommended to refuse the application for the following reasons.

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), 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 a neutral impact has 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

REFUSE

- 1 The proposed extension by reason of its front projection would unbalance the symmetrical appearance of this house and the adjoining semi-detached dwelling and

would be detrimental to the character of the area in conflict with policies GEN7, DEV19 of the Arun District Local Plan and policies DDM1 & DDM4 of the Emerging Local Plan.

- 2 The proposed extension by reason of its siting would have an overbearing impact on the adjoining property resulting in a loss of light and outlook to the occupiers. It is therefore contrary to policies GEN7, DEV19 of the Arun District Local Plan and policies DDM1 & DDM4 of the Emerging Local Plan.
- 3 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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 provide pre-application advice in respect of any future application for a revised development.