

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

REF NO: AL/63/14/HH

LOCATION: Crunchy Cottage
Park Lane
Aldingbourne

PROPOSAL: Demolition of existing summerhouse, stables & 2 No extensions & new rear extension & new detached garage/storage building to converted residential barn.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is considered to be threefold:

- (a) Demolition of the existing single storey summerhouse, single storey stables & two modern extensions (one being two storey);
- (b) New part 1 and part 1.5 storey L-shaped rear extension with a glazed link; and
- (c) New detached single storey garage/storage building.

The proposed extension will be between 0.5 and 1m higher than the existing building. The new garage will provide 3 bays with internal storage and an open sided external store. It will be 5m to the ridge.

SITE AREA

5491m².

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A.

TOPOGRAPHY

The site is predominantly flat

TREES

There are a few garden trees to the rear of the house that may be affected by the proposals but nothing that is particularly apparent from the streetscene. The main amenity of the area comes from those trees located along the edge of Park Lane.

BOUNDARY TREATMENT

The site borders to the north with the large rear garden of a house on Hook Lane ("Hook Place"). This boundary is part dense & mature tree planting and part dwarf (i.e. less than 0.5m) fence. To the front (onto Park Lane), there is a dwarf wall of less than 1m.

SITE CHARACTERISTICS

This is a one and a half storey detached dwelling house (first floor accommodation within the roof element) constructed of a mix of

stone, red brick, beige/grey painted brickwork, horizontal timber panels and thatching at roof level.

Located at the southern side of the property is a wooden, double garage with access via a double gate. There is also a fenced electricity substation to the immediate northwest of the property.

CHARACTER OF LOCALITY

This is a private residential area located in the countryside and consisting of variously styled, large one and a half or two storey detached properties all with large land plots.

RELEVANT SITE HISTORY

AL/50/03/	Removal of substandard pitched roof over bedroom and provision of first floor extension, extending thatch to give principal bedroom with en-suite, new conservatory with balcony, internal alterations and replacement of double garage with new double garage for use as dark room and office	ApproveConditionally 15-08-2003
AL/63/13/	Erection of extension and associated works.	ApproveConditionally 29-10-2013
AL/14/52	Conversion of barn into dwelling house and garage	Approve 10-12-1952
AL/49/82	New garage with new access	ApproveConditionally 07-07-1982

It is understood that the current dwelling was converted from a barn by virtue of a planning permission granted in 1952. A new garage and vehicular access was then added following permission in 1982. The dwelling was then extended at ground and first floor levels in or after 2003. As part of these changes, the existing double garage was also replaced and the new garage building included a first floor element.

A pre-application enquiry concerning the property was received in June 2013. Consultation then took place with the Council's Conservation Officer and it was considered that the size, height & scale of the extension resulted in it not being subservient to the existing house and also having a detrimental impact on the character of this building of special character. The pre-application request was refused by letter dated 15 July 2013. Subsequently, further negotiations took place by email and this resulted in an application which was approved under AL/63/13.

Since that approval, two further pre-application enquiries have been made. The first of these was approved and the second refused. The latter on the grounds that the size & scale of the

proposed extension will overpower the existing. It was also considered that a landscaping scheme might help to overcome some of the issues but that more work was required in terms of the design of the extension. It is the refused pre-application scheme that is the subject of this current application albeit that changes were made between the refusal and the submission.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Aldingbourne Parish Council - The council have no objection to this application, but on the proviso that the new build is screened from the bend on the Hook Lane side, without compromising the visibility on the bend.

Comments on Representations received:

A landscaping condition will be added.

CONSULTATIONS

Conservation Officer

Consultations responses received:

WSCC Ecology - There is no ecological objection to the proposed development subject to the imposition of a suitable worded informative. Bat surveys have been undertaken in accordance with Natural England Standing Advice. The recommended mitigation is appropriate and I would judge that Natural England would issue a licence when the Method Statement is produced on this basis. It is generally not advisable to recommend that a condition be imposed that affects a European Protected Species (e.g. Bats) as this can cause difficulties in issuing the European Protected Species Licence, therefore I propose that an informative is attached to the permission should the LPA be minded to approve.

Council's Conservation Officer - Comments in full: "The property is an attractive barn conversion which can be identified as a heritage asset for the purposes of planning policy. Further, the local area is such that it too could be identified as having some heritage merit, and therefore qualifies as a heritage asset in its own right. The proposal for the main property essentially involves two elements; the demolition of large areas of modern construction alongside the improvement of the historic part of the barn, and the construction of a substantial extension to the existing property. The loss of the various existing 'modern' extensions is supported as it is considered that they currently have a detrimental impact upon the most important element of the property; that of the original barn. Further, it is considered that the proposals to reinstate a more appropriate elevational treatment to the barn should be supported, especially as it will enhance the street-scene in the area. The success of such an element of the scheme will depend upon the quality of materials and workmanship used. The proposed replacement 'extension' is substantial and cannot be considered as subservient. It appears as if the intention is to create a 'barn complex', as opposed to one independent unit. The design of the 'extension' contrasts with the existing structure and attempts to reflect the neighbouring property, Tithe Barn. It is noted that information such as the proposed street-scene appears to be based on the use of 'mature' trees/planting. Is this the case? It is considered that semi-mature vegetation should be used to reduce the impact of the scheme and 'bed' it into its rural location. The proposed garage is a substantial structure, with the potential to impact upon the street-scene and the neighbouring property. Success of such an element will depend upon the use/treatment of the cladding materials to reflect those found in the locality. Ultimately, the success of such a scheme will depend upon the use of quality materials and workmanship as well as intelligent landscaping plans so as to minimise the impact upon the street-scene. If minded to approve this proposal, it is considered that materials and joinery should be conditioned. It may also be beneficial to request further details regarding landscaping for our green-space to provide assistance on."

Comments on Consultation responses:

It is noted that the Conservation Officer states that the "..... proposed replacement 'extension' is substantial and cannot be considered as subservient."

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Building of Character;
PD Restriction; and
Special Control Adverts.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN3 GEN7 GEN22 DEV19	Protection of the Countryside The Form of New Development Buildings or Structures of Character 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 ECC SP2 Energy and Climate Change Mitigation HER DM2 Locally Listed Buildings or Structures of Character	

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
------	------------------------------------

SUPPLEMENTARY POLICY GUIDANCE

SPD9	Buildings or Structures of Character
------	--------------------------------------

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; Bersted; Felpham; Littlehampton; Yapton

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 the extension by reason of its scale, bulk and height would not be subservient to the host building adversely impacting on the character and appearance of the building of special character.

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

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design and layout. Furthermore, Policy DEV19 indicates planning permission will only be granted for extensions to existing residential buildings subject to a set of criteria. Of particular note, the policy places an emphasis on extensions being visually integrated with the existing dwelling in terms of siting, design, form, scale and materials, and being visually subservient to the main building.

Policy GEN22 indicates that planning permission will not be granted for development resulting in the loss of existing buildings or structures of interest and importance which contribute to the character and appearance of the area. The policy further indicates that alterations, extensions or other developments which would adversely affect the appearance or setting of such buildings or

structures will not be permitted.

The National Planning Policy Framework (2012) further indicates at paragraph 56 that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

This application is the third proposal in respect of this property. A previous planning application (AL/63/13) was approved and then a subsequent pre-application enquiry was considered to be acceptable. However, a subsequent pre-application request was then refused on the basis that: "the size & scale of the proposed extension overpowers the existing". Additional comments were that: "the demolition of the existing extensions and outbuildings is a positive step and will consolidate the built part of the site into two distinct areas. It is considered that a landscaping scheme might help to overcome some of the issues but that more work is also required in terms of the design of the extension."

It is not considered that the current scheme overcomes these concerns and it is clear that the size of the extensions are such that the existing building will become a subservient feature as opposed to the extensions being subservient to the original house. Although there are factors which could help to mitigate the impact, namely the proposed landscaping and the removal of the modern extensions; these are not considered sufficient to overcome the issue of subservience and the significant impact of the proposed extensions on the character & appearance of the existing building.

The removal of the two existing outbuildings will reduce the spread of development across the site but these are not considered to contribute to the justification for the extensions as they are required to justify the new large garage building.

In terms of residential amenity, the proposed extension is a considerable distance from the dwelling Hook Place to the west and whilst less, is a sufficient distance (and no closer than the existing house) to any other existing neighbouring dwellings. The proposed garage is close to the neighbouring property Tithe Barn but is not considered to affect its amenity. It is also noted that no objections have been made by local residents.

It is considered that the proposed extensions are such that they will not be subservient to the existing building and that this will have a damaging effect on the character & appearance of the original building. It is therefore recommended that permission be refused for the following reason.

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), 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 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

REFUSE

- 1 The proposal, because of its scale, height and bulk, would fail to be subservient to and would therefore adversely affect the character and appearance of this Building of Special Character in conflict with policies GEN7 and GEN22 of the Arun District Local Plan, policies D DM1 and HER DM2 of the Arun Local Plan 2011-2031 (Publication Version) and the National Planning Policy Framework.
- 2 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 meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.