

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

REF NO: AL/87/12/

LOCATION: Denmans
Denmans Lane
Fontwell Arundel

PROPOSAL: Renewal of unimplemented planning permission AL/83/09/ for a kitchen & dining extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 0.281 hectares.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Mature trees and hedging surround the perimeter of the garden. There is a ranch style gate to front and brick/flint wall approximately 2.5m in height on part of front boundary facing Denmans Lane.
SITE CHARACTERISTICS	The single storey property has flint elevations with brick quoins, painted casement windows with a hipped plain tiled roof.
CHARACTER OF LOCALITY	The property is located within a semi-rural area with detached properties of various styles and designs. Nursing Home to west of site and garden centre to the north.

RELEVANT SITE HISTORY

AL/83/09/	Proposed kitchen and dining extension	Approve Conditionaly 15-10-2009
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REPRESENTATIONS

Representations received:

Aldingbourne Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

No objections to the proposal.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[DEV19](#)

[GEN3](#)

[GEN7](#)

Extensions to existing residential buildings

Protection of the Countryside

The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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

The application seeks to renew AL/83/09 for a single storey extension on the western elevation of the dwelling which create a kitchen and dining room.

It is considered that the proposed extension by reason of its siting, scale and design would be in keeping with the existing dwelling and as such would not have a significant impact on the visual

amenities of the locality as the property is well screened from public view by hedging and trees.

With regard to residential amenity the neighbouring properties to the north and south are of a considerable distance away so would not have a significant impact by means of being overbearing, or by giving rise to overlooking.

There have been no significant changes to the policies relevant to this application, and it is therefore recommended that the application be approved, subject to conditions.

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 (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 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

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: Site 1:1250/Block 1:500 Drg No 4136-01, Proposed Floor Drg No 4136/4, Elevations Drg No 4136/5, Proposed Floor 1:50 showing position of roof light Drg No 4136/6A , Roof Plan Drg No 4136/7A received on 23rd August 2012.

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 building.

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

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.