

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

REF NO: **AW/101/15/HH**

LOCATION: 31 Apple Grove
 Aldwick

PROPOSAL: Single storey rear extension to replace conservatory, new front dormer, reduced width of front dormer, new pitched roof to existing rear dormer & 2 no. obscure glazed side windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The front dormers each measure approximately 4.3m in width, depth of 3m with a height of 2.5m.

The rear dormer roof measures approximately 9.8m in length, depth of 3m with a height of 0.8m.

The rear single storey extension measures approximately 9.5m in width, maximum depth of 3.8m with a height of 2.8m.

The lantern roof light measures approximately 4m in width, depth of 2m with a height of 0.4m.

SITE AREA

Approximately 697 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Front has dwarf wall plus hedging approximately 1.2m in height, rear and side boundaries close boarded fencing supplemented by trees and hedging approximately 1.8m in height.

SITE CHARACTERISTICS

Detached two storey dwelling with front dormer, conservatory on rear to be removed. The property has brown brickwork with tile hanging on dormer, tiled roof with white window frames. Wooden shed in rear garden.

CHARACTER OF LOCALITY

Private residential estate comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

BR/155/59/E

3 detached semi-bungalows

Approve

14-05-1960

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members have no objection to the application.

1 Letter of rep

The Aldwick Bay Company Limited have no objection to the size of the extensions. The design of the front dormers with windows that are larger than those on the ground floor together with a skirted tiled roof makes for a top heavy, too much going on first floor. The whole could be improved by way of a simpler roof construction to the dormers and splitting each windows into 2 or 3 smaller ones. With reference to the new windows in the left side elevation facing 30 Apple Grove. As no dimensions to the boundary are shown, this could give rise to a Building Regulation problem concerning unprotected areas/space separation in case of fire.

Comments on Representations received:

Rep comments noted

The application is to consider the scheme as submitted. Dimensions to the boundary can be scaled as per the submitted Block Plan at 1:500. The development would be the subject of Building Regulation approval and can be controlled under this legislation with regard to unprotected areas/space separation in case of fire.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
GEN2
GEN7

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

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)

D SP1 Design
SD SP2 Built-Up Area Boundary

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: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kingston, Littlehampton, Rustington and Yapton.

There is no Aldwick Neighbourhood Development Plan under preparation.

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 reduce the existing front dormer and add an additional dormer, construct a rear dormer, front extension and a rear single storey flat roof extension.

The existing front dormer which has a flat roof is sited on the eastern side of the dwelling. The proposal is to reduce this dormer and install a hipped roof with the installation of an additional identical dormer that will be sited on the western side. It is considered that the dormers are of an acceptable size and height which are considered to be more in keeping with the host dwelling.

The existing rear dormer has a flat roof and the proposal is to replace this flat roof with a hipped roof to match the front dormers. There are three windows which currently serve two bedrooms and an en-suite and two of these windows are to be replaced by larger windows which will match the windows on the front dormer. It is proposed to install a new window on the ground floor and window at first floor level on the east side elevation above the main entrance. The window at first floor level which serves a bedroom is to be obscure glazed and fixed shut below 1.7m. An additional window which will serve a bedroom is also proposed at first floor level on the west side elevation and this is to be obscure glazed and fixed shut below 1.7m.

The existing conservatory on the rear eastern side is to be removed and the proposed single storey extension will be the whole width of the dwelling with a maximum rear projection of 3.8m and to provide additional light into the extended accommodation a lantern roof light is proposed. The extension is of a size and height that is visually subservient to the host dwelling.

With regard to residential amenity the neighbouring property to the east No 12 Willow Way is sited approximately 4m away. This property has a dormer window on the rear west elevation. It is not considered that the window at first floor level being obscure glazed and fixed shut below 1.7m would create any unacceptable overlooking. The neighbouring property to the west No 33 is sited approximately 5m away. This property has an entrance door and two windows at ground floor level on the east side elevation of the property and to the rear there is a detached garage that is sited to the boundary with No 31. In view of its siting the proposed extension will be partly obscured by the garage and it is not considered that the extension would create a loss of outlook or daylight to the occupiers. With regard to the additional window at first floor level in view of its obscure glazing and non-opening below 1.7m it is not considered that this would create unacceptable overlooking to recommend refusal.

The proposal would not have a significant impact on the visual amenities of the locality or harm the established character and appearance of the surrounding residential area, nor would it have an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings.

It is therefore recommended to approve the application, subject to 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 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 received on

Site/Block Drg No PG 07 Draft 3a dated 27.3.15.
Proposed Ground Floor Drg No 02 Draft 4a dated 1.4.15.
Proposed First Floor Drg No 04 Draft 4a dated 1.4.15.
Proposed Elevations Drg No 06 Draft 4a dated 1.4.15.

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, roof of the dormers hereby permitted shall match in colour and texture those of the host dwelling.

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

- 4 The windows at first floor level on the east and west side elevations of the dwelling shall at all times be permanently obscured glazed and non-opening below 1.7m.

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.