

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

REF NO: **AW/103/17/HH**

LOCATION: 1 Coventry Close
 Aldwick

PROPOSAL: Single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is to construct a single storey extension to the side of a terraced dwellinghouse which is located on a corner plot. The dwelling forms part of a terrace which fronts onto Wells Crescent. It has a side elevation facing onto Coventry Close which is set back 4.5 metres from the angled building line of the neighbouring terraced properties 3-7 Coventry Close. The front building line of 3-7 Coventry Close is continued by the rear garden brick wall of 1 Coventry Close (approx. 1.8 metre in height). In addition a garden shed rises approx. 0.7 metres above the garden wall at the boundary with Coventry Close.

The juxtaposition of the applicant's rear garden wall projecting to the side of the dwellinghouse and their front elevation on Wells Crescent leaves a lawned area, open plan on two sides, to the side of the dwelling. The proposed single storey side extension would occupy part of this area abutting the dwellinghouse side elevation. It would be L shaped projecting 3.8 metres to the side adjacent to the rear garden wall (set back 0.7 metres from its frontage on Coventry Close) and project 2.1 metres closest to the front elevation. The total length along the side elevation would be 6 metres. The extension would be set back 2.3 metres from the front elevation on Wells Crescent.

The extension would have an eaves height of 2.4 metres. It would be hip roofed with a ridge at 3.3 metres in height in the rear section of the L shaped extension and the front section would have a lean to roof reaching a height of 3.3 metres against the side elevation of the dwellinghouse.

SITE AREA	270 sq.m.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The rear garden wall is constructed of bricks and is approx. 1.8 metres in height. It projects 4.5 metres from the side of the dwelling house in the line of the applicant's rear elevation and then extends to the rear 10.25 metres in line with the front elevation of the terrace behind, 3-7 Coventry Close. The garden is open plan to the front and immediately to the side elevation of the dwellinghouse.
SITE CHARACTERISTICS	A red brick and concrete tile, modern end of terrace dwelling on a purpose built 1970's housing estate.
CHARACTER OF LOCALITY	A residential area in Aldwick on a modern open plan housing estate. The property is the end terrace of of a terrace of 2 storey dwellings facing onto Wells Crescent and neighbours two storey terraced properties on the east side of Coventry Close. The other properties in the area are detached modern bungalows on Wells Crescent and Coventry Close opposite the appicant's property

RELEVANT SITE HISTORY

None relevant.

REPRESENTATIONS

Representations received:

No comments received.

Comments on Representations received:

N/a

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/a

POLICY CONTEXT

Designation applicable to site:

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN7</u>	The Form of New Development
	<u>DEV19</u>	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

SPD10	Aldwick Parish Design Statement
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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.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local

Planning) (England) Regulations 2012.

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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Aldwick have an adopted a Parish Design Statement - In Area 12 this requires extensions to be visually subservient and relate to the existing building and existing separation of dwellings should be preserved to prevent unneighbourly cramped or visually intrusive closure of gaps. The proposed development should also preserve the open plan. Materials should also match.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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

PRINCIPLE

The application site falls within the built area boundary where the principle of development is acceptable subject to compliance with relevant development plan policies. In this case the relevant policy consideration will be policy GEN7 and DEV19 of the Arun District Local Plan and the Aldwick Parish Design Statement (Area 12 - Aldwick Park).

DESIGN AND VISUAL AMENITY

The proposed single storey side extension would project a maximum of 3.8 metres to the side of the property on the side elevation stepping in to 2.14 metres. There would not be any long distance views from either Coventry Close or Wells Crescent due to the single storey character and the location of the extension set back 2.1 metres behind the front elevation and set back 0.7 metres from rear garden front wall which projects 4.5 metres from the side elevation and in addition has a garden shed behind approx. 2.5 metres in height rising 0.7 metres above the garden wall. The proposed extension, at a ridge height of 3.3 metres with an L shaped floor area, which minimises its impact, is considered to be subservient to the existing 2 storey dwelling house and to have an acceptable impact on the appearance of the dwellinghouse itself and to be sympathetic to the character of the area.

The extension would occupy an area that is currently part of an open plan side garden however because in this case the area of land to the side of the end terrace is also visually shielded from long distance views due to the side projecting rear garden wall and shed it is not considered to impact upon the open plan character of the area as a whole.

It is proposed for the extension to be constructed from materials which match in appearance those used in the construction of the original dwelling.

The proposed extension due to its design and location is considered to comply with policy GEN7(ii), DEV19(i), (ii) & (v) of the Arun District Local Plan as well as the Aldwick Parish Design Statement (Area 12).

RESIDENTIAL AMENITY

The proposed single storey extension would not be located within 20 metres of any other dwelling. Therefore, by virtue of its modest single storey construction, design and location it is not considered to give rise to any unacceptable impacts upon the residential amenity of neighbours and is deemed to be in accordance with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposal is deemed to be in accordance with relevant development plan policies and as such is recommended for approval subject to the below 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 8 (right to respect 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;

Proposed Plans and Elevations received 7th April 2017

Proposed Roof Plan received 7th April 2017

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls, window frames and roof of the building 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.