

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

REF NO: **AW/126/15/HH**

LOCATION: Tradewinds
 7 Arun Way
 Bognor Regis

PROPOSAL: Alteration to rear/south elevation - revision to AW/332/13

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Resubmission of AW/332/13 which was approved in March 2014.

The changes are as follows:

- * Reduction in the size (width & depth) of the proposed rear two storey extension;
- * Reduction in the size of the roof lantern window above the Family Room;
- * New Juliette balconies to two existing rear first floor windows; and
- * Minor alterations to the stepped access from the rear to the garden.

Overall, the proposals represent a reduction on the previously approved scheme.

SITE AREA

N/A.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A.

TOPOGRAPHY

Predominantly flat.

TREES

The site is surrounded on both sides and to the front by mature trees but none are affected by the extensions.

BOUNDARY TREATMENT

2 metre high boundary wall and gates.

SITE CHARACTERISTICS

The application site comprises a large detached house in terracotta render of 2 storeys set in spacious grounds with the main garden to the rear. The property has boundaries with no. 8 Arun Way to the north, no. 9 to the west, no. 6 to the east and a private beach to the immediate south.

CHARACTER OF LOCALITY

The area is part of a residential street comprising detached dwellings all of a fairly uniform size aside from no. 7 which is around

twice the size of others. All houses have large plots but again this site is much larger than others in the area. The houses on the southern side of Arun Way border with the private beach behind and several have boathouses at the bottom of their gardens.

RELEVANT SITE HISTORY

AW/332/13/	Alterations to the exterior, alter elevations of the main house and construct lantern roof light.	ApproveConditionally 13-03-2014
AW/295/14/HH	New boat house to replace existing wooden building	ApproveConditionally 28-01-2015
AW/122/15/HH	New double garage & games room to replace demolished water storage tank & greenhouse.	Refused 11-06-2015

See "Description of Application" section above.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council - no objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

None.

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designations Applicable to the Site:

Tree Preservation Order; and
Within Built Up Area Boundary.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7
DEV19
AREA2

The Form of New Development
Extensions to existing residential buildings
Conservation Areas

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

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

SPD2

Conservation Areas

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 are no plans to develop an Aldwick Neighbourhood Plan.

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 proposal essentially seeks to reduce the extent of works approved by AW/332/13 and the result of these is the reduction of several elements including most notably the two storey rear extension. As a result, this application has to be considered favourably and it is not considered given the previous approval coupled with the reduction, that any objection can be raised. Whereas the previous application attracted a number of objections, none have been received to this one. Accordingly, it is recommended that permission be granted subject to the following 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 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:

Site/Location Plan 9;
Main House - Existing Plans (GF) Drawing 1 of 8;
Main House - Existing Plans (FF) Drawing 2 of 8;
Main House - Existing Elevations (Front/Rear) Drawing 3 of 8;
Main House - Existing Elevations (Sides) Drawing 4 of 8;
Main House - Proposed Plans (GF) Drawing 5 of 8;
Main House - Proposed Plans (FF) Drawing 6 of 8;
Main House - Proposed Elevations (Front/Rear) Drawing 7 of 8; and
Main House - Proposed Elevations (Sides) Drawing 8 of 8.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions 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.