

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

REF NO: **AW/131/15/HH**

LOCATION: 16 Rossalyn Close
Pagham

PROPOSAL: Two storey side extension with single storey element (resubmission following AW/60/15/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application follows a recent previous refusal AW/60/15/HH. See Comments on Planning History section of this report.

The proposed development has been revised and now proposes the erection of a two-storey extension with a single storey front element with flat roof. The two storey element will be 5.4m wide and 5.6m deep and will be set back from the main front wall of the dwellings by 4m. The extension will extend back beyond the rear wall of the main dwelling by 1.5m and will have a pitched roof. The front eaves will be the same height as the existing dwelling. The ridge line will be 0.8m lower than the ridge of the main dwelling and the rear first floor windows will extend upwards beyond the rear eaves and be set underneath small dormers. Window proportions have been revised to more closely reflect the appearance of the existing dwelling.

The front element of the extension at ground floor is irregularly shaped and almost triangular except for a limited element of 0.78m in line with the front wall of the dwelling. Materials are proposed to match the existing appearance of the dwelling.

SITE AREA

The approximate site area is 0.03 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The site boundaries are a mixture of 1.8m

SITE CHARACTERISTICS

wooden panel fencing and hedgerows of a similar height. The southern side boundary also contains a number of small trees.

The application site is occupied by a two storey dwelling which is at the southern end of a terrace of 3 dwellings. The dwellings appear to have been recently refurbished. The dwellings have brown plain concrete tile roofs, horizontal wood cladding at first floor and a mixture of render and brick at ground floor. The application dwelling has a detached single garage to the front/side with access from the turning head serving these dwellings. On site parking appears to be sufficient for at least 3 cars at the present time, excluding the garage. The side and rear garden of the property is separated from the front area of the dwelling by a 1.8m wood panel fence.

There is a screen fence between the application dwelling and the bungalow to the west. This screens the side and rear garden of the bungalow.

The site has an irregular shape, being narrower at the front and wider at the side and rear.

CHARACTER OF LOCALITY

The character of the area is residential with a mixture of bungalows to the south and two storey dwellings to the north.

RELEVANT SITE HISTORY

AW/60/15/HH Two storey side extension.

Refused

21-04-2015

The previous recent application for a wholly two storey extension to this dwelling (AW/60/15/HH) was refused for the following reason:

The proposed extension by reason of its size and design would result in the erection of an extension to the existing dwelling which would have an incongruous and unsympathetic visual appearance and would be of unsatisfactory design detrimental to the appearance of the dwelling and to visual amenity generally contrary to policies GEN7 and DEV19 of the Arun District Local Plan 2003, DDM1, DDM4 and DSP1 of the Emerging Arun Local Plan October 2014 National Planning Policy Framework, including in particular Section 7, Requiring Good Design.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick parish Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built Up Area

DEVELOPMENT PLAN POLICIES

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

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

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

SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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.

Aldwick does not have a Neighbourhood Area designation and has not prepared a 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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application must be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policy in the Emerging Local

Plan is also a consideration and is Government advice in the NPPF.

DESIGN AND VISUAL AMENITY

This revised application seeks planning permission for the development outlined in this report and will result in change to the appearance of this dwelling. The visual impact on the appearance of the dwelling will to some degree be mitigated by the location of the extension and the orientation of the main walls. The proposed extension will now be more sympathetic to the appearance of the existing dwelling and the design is considered to be acceptable and not to have a detrimental impact appearance of the dwelling.

The design of the extension now also includes windows which reflect the proportions of existing windows and which lend the extension a more satisfactory appearance and not to be detrimental to the appearance of the existing dwelling.

The proposed main roof is now of a more traditional design and reflects the appearance of the existing dwelling. The flat roof to the front single storey element is required due to its irregular shape and will have a very limited visual impact. The location of the extension is not widely visible.

The Council's adopted and emerging policies seek to ensure development which is of at least satisfactory quality, as does advice on the NPPF. The revised scheme is now considered to be more sympathetic to the appearance of the existing dwelling and therefore to be acceptable.

PARKING & SPACE STANDARDS

The extended dwelling will retain at least 3 car spaces and as such the development accords with parking standards for 4-4 bedroom dwellings. The family room, bedroom and en-suite to be provided have floor areas in excess of the required space standards.

CONCLUSION

The proposed works are considered to be acceptable and not to result in visual or other detriment and therefore to be in accord with policies.

It is therefore recommended that the application 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 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

In assessing this proposal the following impacts (negative, Neutral or positive) 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).

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 drawings:

Sheet 1a of 3 - Proposed Ground & First Floor Plans
Sheet 2a of 3 - Proposed Elevations & Block Plan
Sheet 3a of 3 (Part) - Proposed Roof Plan
(All as submitted with application)

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 roofs of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

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.