

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

REF NO: **AW/143/17/HH**

LOCATION: 56 Aldwick Fields
 Aldwick

PROPOSAL: Two storey rear extension and alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The extension will extend out 4m at the rear and cover 5.85m of the width of the house. It will in part replace an existing conservatory. It will have the same eaves height and a hipped roof form with the pitch 0.2m below the existing ridge line. The extensions add a garden room (replacing the conservatory), a utility room/downstairs loo, a 4th bedroom and a walk in wardrobe to the existing bedroom 1. Materials consist of matching concrete roof tiles, matching painted brick work at ground floor level and new Marley Eternit cladding at first floor level.

SITE AREA

n/a

TOPOGRAPHY

Predominantly flat

TREES

Several large trees bordering the rear of the site (on the line of the footpath) but none are affected.

BOUNDARY TREATMENT

1.8m high close boarded fence to the rear and to the side with no. 54. Low 0.5m high knew rail type fence along the frontage.

SITE CHARACTERISTICS

Corner plot comprising of a large detached two storey house in white painted brick and hanging tiles with a separate white rendered pitched roof double garage to the side. Conservatory on the rear approx. half the width of the house. Shed in the garden. The garden backs onto a Tree lined footpath running along the rear of the houses. With the garage and driveway space, at least 4 cars could be accommodated off the road.

CHARACTER OF LOCALITY

Residential area comprising medium-large detached houses with a row of bungalows on the opposite side. Due to the corner nature of

the plot and the tree lined footpath to the rear, there is only one potentially affected neighbour, no. 54. This has rear principal windows, a conservatory on the side off the house closest to 52 and a habitable room at the back of the garage. However, the latter is obscured by an existing shed in 54's garden.

RELEVANT SITE HISTORY

AW/67/86	Erection of double garage with temporary use as sales office	ApproveConditionally 14-06-1986
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None.

REPRESENTATIONS

Representations received:

None received.

Comments on Representations received:

N/A.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
PD Restriction; and
Area Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

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

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

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design
SD SP1 Sustainable Development
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 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 has taking place. 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. The examination is due to re-commence in Autumn 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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Aldwick does not have a Neighbourhood Plan. A Village Design Statement has been adopted and is considered in this report.

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 within the built up area boundary where development is acceptable in principle subject to normal development control criteria being satisfied such as design, visual & residential amenity and highway safety/parking.

RESIDENTIAL & VISUAL AMENITY:

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design & layout and do not have an unacceptable adverse impact on adjoining occupiers. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene, not result in a terracing effect and be visually integrated with & sympathetically relate to the existing dwelling. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

All of the proposed works are to the rear of the house and will not be visible on the streetscene other than glimpsed when viewing the site from a north easterly direction across the 54's front garden or from the south west looking across and above the existing pitched roof garage. However, the extension is to be lower than the main ridge and only cover half the width of the house. It will therefore be a subservient addition. The trees along the rear boundary also obscure views from the footpath (although during the winter months, more of the extension will be visible).

Materials to the roof and ground floor will match. The proposal does include new cladding to all of

the first floor elevations (colour to be agreed by condition). However, this is not considered to be detrimental to the appearance of the dwelling or out of character with the local area.

No. 56 is sited on a building line at an angle to that of no. 46 to 54 within the street. As such, the extension will be visible from the rear of 54. However, due to the wide gap between these dwellings, it is not considered to impinge upon a 45 degree splay from the rear windows of the neighbouring dwelling. One first floor east facing landing window is proposed but this will be obscure glazed and top vent opening only so will not allow overlooking of the neighbouring property.

Therefore, the scheme is not considered to have materially adverse impact on the visual amenity of the location or the residential amenity of the adjoining property, no.54.

ALDWICK PARISH DESIGN STATEMENT:

The site is defined within the Aldwick Parish Design Statement as being part of character area 11 (Aldwick Felds). The following development criteria are therefore relevant:

- * The amenity trees, spaces and access ways should be retained trees lost to damage or disease should be replanted/replaced.
- * New or replacement buildings or extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby.
- * Materials matching the existing building should be used where appropriate.
- * When any development is undertaken, existing separation of dwellings should be preserved to prevent un- neighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived linkages between buildings.
- * The character of the area should be preserved.

The proposal does conflict with the use of matching materials in that cladding is proposed to replace the hanging tiles. However, it is not considered that the addition of cladding will be harmful to the character of the area and it is noted that there are other examples elsewhere in the local area. The proposal does not conflict with any of the other criteria.

SUMMARY:

It is considered that the application complies with all development plan policies and it is therefore recommended that planning 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:

Drawing 1097/2 "Proposed Plans and Elevations" (inc Site & Location Plans); and
Drawing 1097/3 "Proposed Roof Plan".

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 painted brickwork walls and the roof tiles of the extension hereby permitted shall match in colour and texture with 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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the proposed Marley Cedar Cladding have been submitted to and approved by the Local Planning Authority and the colour and type of cladding so approved shall be used in the first floor elevations of the building.

Reason: In the interests of amenity to achieve a reasonable visual quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The first floor landing window on the side (east) elevation of the building shall at all times be glazed with obscured glass and fixed to be top vent opening only.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 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.