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

REF NO: AW/20/15/HH

LOCATION: 32 The Fairway
Aldwick
PO21 4HD

PROPOSAL: Single storey garage extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey garage extension measures approximately 1m in width, depth of 6.6m with a maximum height of 3.7m.
SITE AREA	Approximately 900 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has driveway with dwarf brick wall and established shrubs, side boundary has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached property with front gable and dormer, single storey garage extension on east side. The property has reddish/brown brickwork with yellow weatherboarding on gable and dormer, tiled roof with white window frames.
CHARACTER OF LOCALITY	Private residential estate comprising predominantly detached properties of various styles and designs.

RELEVANT SITE HISTORY

BR/201/59/C	Semi Bungalow & Garage	Approve 26-10-60
BR/86/64	Extension	Approve 10-08-64
AW/48/07/	Rear two storey extension, demolition of front garage and replacement with front single storey extension. New roof to exisitng first floor dormer.	ApproveConditionally 30-03-07

REPORT_1011(ODB)

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

No objection

1 Letter of representation from Aldlwick Bay Company Limited
Concerns have been raised with the height of the vertical wall proposed up against the back of the pavement.
Suggest that the proposed mansard gable is chanced to a 'catslide' type pitched roof which would be more sympathetic vie of the house from the roads.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted
The proposed extension is not considered to detract from the appearance of the existing garage in terms of its height and design.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundnary
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DEV19 Extensions to existing residential buildings

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).

There is no Neighbourhood Development Plan for Aldwick 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.

CONSIDERATION OF ALTERNATIVE SITES

FOR TEL's only
The applicants report received with this application explains that alternative sites have been considered. These include the following:

(List site address and reason discounted)

CONCLUSIONS

The application seeks for a single storey extension to the garage.

The property is sited on a corner location with The Fairway and Arun Way and the attached garage was the subject of planning application AW/48/07. The garage is set back from the eastern side boundary by approximately 1.1m and the proposed extension will be the full depth of the garage being sited approximately 100mm from the eastern side boundary. It will follow the roof line of the existing with matching brickwork and tiles.

Whilst it is noted that the extension will bring it closer to the side boundary than the existing garage it is not considered that this would be a harmful feature in the street scene or would harm the character and appearance of the wider area.

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 29th January 2015.

Location 1:1250, Site 1:500 dt 25.1.15.
Proposed Ground Floor 1:50 dt 26.1.15.
Proposed Elevations 1:100 dt 26.1.15.
Existing/Proposed Roof 1:500 dt 27.1.15.

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 and roof of the extension hereby permitted shall match in colour and texture those of the existing garage.

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 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.