

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

REF NO: **AW/248/15/HH**

LOCATION: 27 Fernhurst Gardens
 Aldwick

PROPOSAL: Demolition of detached garage & conservatory, erection of replacement detached garage & single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a single storey rear extension to this dwelling. An existing rear conservatory would be removed. The proposed extension would enlarge the existing rear projecting element of the dwelling and would be 2.4m in width and 2.6m in depth. This would provide for an enlarged kitchen area and would be a continuation of the existing rear projection, with flat roof as existing. Materials are proposed to match the existing dwelling.

It is also proposed to replace the existing pre-fabricated garage with a new garage. This would be 6m deep and 3m wide and have a ridged roof with ridge level of 3m and eaves level of 2m. The garage is to be constructed of rendered concrete blocks to match the dwelling and tiles to match the dwelling.

SITE AREA

Approximately 0.05 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Rear boundaries of the site are wooden panel fencing, approximately 2m in height.

SITE CHARACTERISTICS

The site is occupied by a 2 mainly storey dwelling. This is white rendered with a two-storey gabled front to rear element and is otherwise of single storey with a rear dormer. The roof is of small plain red tiles. to the rear there is a single storey element which has a flat roof and forms a part of the kitchen. There is also a relatively small rear conservatory. The dwelling has a detached single garage to the

side/rear and behind this there is also a shed.

CHARACTER OF LOCALITY

The area is residential in character.

RELEVANT SITE HISTORY

There is no site history.

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:

No consultees.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

within built Up 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

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

SUPPLEMENTARY POLICY GUIDANCE

SPD10

Aldwick Parish Design Statement

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 has not prepared a Neighbourhood Plan.

The site falls within Area 5, Fernhurst Gardens in the Aldwick Village Design Statement. The description of the area is as follows:

General Description:

The area is a mixture of early to mid 20th century houses with large gardens however the area has been peppered with large and small infills of 1960s/1970s houses and bungalows.

Main Characteristics:

- Predominantly two storey detached and semi-detached houses some chalet bungalows and a few flats.
- Gardens with trees.
- Tree lined verges.

Fernhurst Gardens and Willowhale Avenue:

Most of the original houses were built in the 1920s/30s and still retain an air of established calm. There is a mixture of large and medium size detached houses, bungalows and chalet style houses constructed in brick and tile.

Grass verges and a recent replanting of new trees ensures that they still retain their mid 20th century ambience. Any building development in the form of extensions or general improvement has been done with the aim of preserving and improving the area.

Design Attributes:

- Some open, green amenity spaces.
- Open plan gardens and wide verges (New developments).
- Well-spaced and designed properties.
- Wide pavements.
- A broad spectrum of public amenity trees.

Development Criteria include:

- 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.
- Where planning permission is required, preserve existing separation of dwellings, and prevent unneighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived linkages between buildings.
- Exercise strict control over any roof development likely to be particularly intrusive by virtue of proximity to neighbouring dwellings. Any roof redesign should be sympathetic and in keeping with the character of existing properties.
- Materials matching the existing building to be used where appropriate.
- Preserve character of area.
- Maintain existing pattern e.g. setback and density

The proposed development is generally consistent with the Design Statement.

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 will 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. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in limited change to the appearance of this dwelling. The rear extension and the garage will not be generally visible and utilise matching materials to those which exist. The proposed garage will improve upon the appearance of the existing pre-fabricated garage.

The proposed extension is considered to be visually acceptable in terms of the appearance of the existing dwelling and the visual amenity of occupiers of surrounding dwellings.

Parking at the site will remain satisfactory at in excess of 4 spaces, including the garage.

It is therefore considered that there will no harm to the appearance of the dwelling or to visual amenity and that the proposed extension would be in accord with policies GEN7 and DEV19 and also D DM1, D DM4, Q SP1 in this regard.

RESIDENTIAL AMENITY

The proposed rear extension does not give rise to amenity loss to adjoining occupiers due to its location and design. The replacement garage is little different from the existing garage and of similar eaves level adjoining the boundary. There is little if any impact on the adjoining occupier therefore.

It is not considered that there will be any significant privacy or amenity loss from the proposed development and that it would be accord with policies GEN7 and DEV19 and also D DM1 and DDM4 in this regard.

It is therefore recommended that planning permission be granted subject to the following condition(s):

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 Neutral 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).

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:

Drawing Number 7A - Block Plan - Received with Application
Drawing Number 2A/B - Proposed Ground Floor Layout - Received with Application
Drawing Number 5A/E - Proposed Ground Floor (Part) - Received with Application
Drawing Number 6A/B - Proposed Elevations - Received with Application
Drawing Number 4A/B - Proposed Garage Plan & Elevations - Received with Application
Drawing Number 9A - Proposed Garage Side Elevation - Received with Application
Schedule of Drawings & Materials - Received with Application

Reason: For the avoidance of doubt and in the interests of amenity and the environment policies GEN7 and DEV19 of the Arun District Local Plan 2003 and policies D DM1, D DM4 and D SP1 in the Arun local Plan 2011-2031, Publication Version.

- 3 The materials and finishes of the external walls, roof, windows and doors of the extension hereby permitted shall match in appearance, 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 2003 and policies D DM1, D DM4 and D SP1 in the Arun Local Plan 2011-2031, Publication Version.

- 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.