

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

REF NO:	AW/25/18/HH
LOCATION:	36 Apple Grove Aldwick PO21 4NB
PROPOSAL:	Two storey rear extension (resubmission following AW/271/17/PL). This application also lies within the parish of Pagham.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	As above The proposed extension measures approximately 5.7m deep, 6.4m wide and 6.2m high (max). The proposal also involves a rear dormer window. The resulting dormer window would be approximately 6.4m wide & 2.7m high. Materials would match the existing property.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fences to sides (rear) and rear. 1.2m fence with trellis atop to front.
SITE CHARACTERISTICS	Two storey chalet bungalow with existing two storey side extension which houses bedroom 3 and an en-suite bathroom to first floor and a garage with store to ground floor. Off street parking to front and garden. Rear conservatory opening out to garden at rear.
CHARACTER OF LOCALITY	The road the property faces on to is characterised by two storey detached bungalows with off street parking to front and rear gardens. Apple Grove is un-adopted and has no public footpaths. To the west of the site (in the Parish of Pagham), which does not form part of Apple Grove, to the rear, is also residential and formed of two storey detached and terraced dwellings.

RELEVANT SITE HISTORY

AW/271/17/PL	Two storey side extension to form 1 No. dwelling. This application also lies within the parish of Pagham.	Withdrawn
AW/260/04/	Two storey extension to form double garage & en-suite bedroom.	ApproveConditionally 03-12-04
AW/97/02/	Single storey extension/conversion.	ApproveConditionally 19-07-02

There is no relevant planning history. Although a similar application which also involved the conversion of the property to create an additional dwelling was withdrawn in 2017

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Pagham Parish Council

Aldwick Parsih Council have no objection.

Pagham Parish Council has no objection.

No representations were received in response to public consultation. Although two representations have been received from the applicant. The first advising the reason for the application i.e. for an elderly relative and putting forward comments to support the design. The second is clarification that the annotation on the plan is incorrect and the area marked kitchen will remain a garage.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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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 is in preparation and is 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.

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. The examination was completed in September 2017. A consultation into the proposed modifications ended in February 2018.

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. 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.

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DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 dwelling is located within the built-up area boundary in an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The two storey extension, which has been designed to be set down below the height of main roof. The proposed extension would infill set back gap behind the existing garage and extend across approximately half the width of the rear elevation of the main house. The extension would be set in between 0.6m and 1.4m from the west side boundary of the site. It would also be approximately 21 m from the rear boundary. The extension would not be readily visible from the road. Given the size of the property and the plot it is considered that the proposed extension would be subservient to the main house.

The rear dormer is an extended version of the existing dormer on the new roof slope it is set with the roof margins and does not appear unduly dominant.

The proposed materials would match the existing property.

Therefore, it is considered that the proposed development would not be harmful to the character and appearance of the host property or the wider area.

With regard to the amenity of adjoining occupiers the properties. Given the position of the proposed extension there will be no adverse impact upon the amenity of the adjoining occupiers to the east on Apple Grove. To the west the nearest property is sited on Kings Drive. This property has a narrow window at first floor level. The proposed extension has no windows in the side elevation, this can be

secured by means of a condition. The rear dormer window does extend further into the garden area and would provide views to the side but is not considered harmful to merit refusal on this ground. Therefore, the proposed scheme will not lead to a loss of privacy to the adjoining occupiers. In addition, given the position and orientation of the neighbouring property on Kings Drive it is not considered that the extension will be unduly dominant upon the neighbouring property.

It is noted that the applicant has clarified by a written representation dated 22 March 2018 that the annotation on the proposed plan is wrong, the garage is marked as a kitchen on the proposed plan but this is not proposed and the garage will remain a garage.

Therefore, in summary, it is considered that there would be no adverse harm to the living conditions of neighbouring properties and to the character and appearance of the host property. As such the proposal would be comply with adopted planning policies in the Arun Local Plan 2003, Aldwick Parish Design Statement and the NPPF.

Therefore, the application is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

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 ADS-001P, ADS-002P A & details in the internet representation dated 22 March 2018.

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 building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the west elevation of the extension without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 5 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.