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

REF NO: **AW/283/15/HH**

LOCATION: 42 Gossamer Lane
Aldwick

PROPOSAL: Single storey extension to side & rear & extension to garage & conversion to habitable room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extensions add 2 new en-suite ground floor bedrooms.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat
TREES	Large Fir Tree over the boundary in 44's garden but it is not affected by the proposed development.
BOUNDARY TREATMENT	1.9m high close boarded fence to no. 44. 1.8m high close boarded fence to Sefter Avenue.
SITE CHARACTERISTICS	2 storey rough cream rendered link detached corner plot dwelling. Tiled roof. Off street parking for 2-3 cars.
CHARACTER OF LOCALITY	Site is surrounded by detached and semi-detached brick and tile dwellings.

RELEVANT SITE HISTORY

BR/295/79	Single storey extension to provide bedroom	ApproveConditionally 09-05-1979

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council - no objection.

Comments on Representations received:

Noted

CONSULTATIONS

Consultations responses received:
None.
Comments on Consultation responses:
N/A.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
Class C Road; and
No Public Sewer.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		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

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. There are no plans to create an Aldwick 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

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 and are 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.

The proposal is for a single storey side extension, a single storey rear extension, a small single storey extension to the front of the existing garage and the conversion of the garage to a bedroom.

On the basis that the property is a corner plot and that there are no two storey elements, there is only 1 neighbouring property to take account of. No. 44 has the same design and layout as 42 and therefore, the front garage extension is adjacent to 44's front garage whilst the rear extension is adjacent to a store room at the rear of 44's garage. There are therefore not considered to be any impacts to the amenities of 44.

The front extension matches with the predominant front building line and is clearly a subservient addition to the dwelling. The side and rear extensions are also considered to be subservient and will be largely hidden from the streetscene by the existing boundary treatments. Although the proposal adds two new bedrooms and removes an existing garage, there remains space within the front driveway for up to 3 cars. It is therefore considered that the proposal complies with the relevant planning policies and should be approved 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 approved Drawing 01 "Proposed Extension / Existing & Proposed Plans / Existing & Proposed Elevations".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 & DEV19 of the Arun District Local Plan.

3 With the exception of the felt to the proposed flat roof, all other materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing buildings.

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.