

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

REF NO: **AW/286/15/HH**

LOCATION: 14 Bradlond Close
Aldwick

PROPOSAL: Single storey extension to form ancillary annexe accomodation for family member - Resubmission of AW/182/15/HH

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Single storey, hipped roof extension to rear and side of existing garage to link to existing porch of main house and convert the existing garage into a living room as part of the annexe. The garage door would be replaced by two windows and bricked around with materials to match existing.
SITE AREA	0.09 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fence and wall to sides and rear, open to front.
SITE CHARACTERISTICS	Corner plot, detached two storey dwelling with detached garage to side and existing side porch extension. The dwelling has a hipped roof with gable end feature and the garage has a half hipped roof. The property has is constructed form red brick with dark stained wooden cladding tot he first floor and the garage is white rendered with brown clay roof tiles to both buildings. Driveway to front with garden and garden to rear.
CHARACTER OF LOCALITY	Characterised by uniform properties of the above style with varying external materials, all with detached garages to side, set back from the road.

RELEVANT SITE HISTORY

AW/21/09/	Single storey porch extension	ApproveConditionally 23-03-2009
AW/182/15/HH	Conversion of existing garage & extension to create annexe accommodation	Withdrawn 04-09-2015

The previous application for a similar extension and conversion AW/182/15/HH was withdrawn owing to objections from the planning officer and Council's Arborist. The planning officer objected to the side extension of the garage as it was large and harm the uniform appearance of the street and the Arborist objected as the extension to the side would damage tree roots of off-site TPO tree.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection subject to consultation with the Council's Arboriculturist.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

ARBORIST

Given the updated email from the Agent has now allowed for a 10% offset for the RPA area for the cited scots pine, I withdraw my objections to the proposed development process relating to AW/286/15/HH 14 Bradlond Close.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary
TPO trees adjacent to site

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [DEV19](#)
[GEN12](#)
[GEN2](#)
[GEN7](#)

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

Extensions to existing residential buildings
Parking in New Development
Built-up Area Boundary
The Form of New Development
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
T SP1 Transport and Development

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.

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 Parish does not have a Neighbourhood Development Plan. However, the Parish does have a Village Design Statement that will be taken into consideration in the assessment of this application.

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

DESIGN AND VISUAL IMPACT

The proposed extensions are less prominently located than the previous scheme. There will still be a side extension, linking the garage to the porch, visible from the street scene but the appearance of the house will not be significantly altered. The overall form of the side garage will be retained and the appearance of the house as a detached dwelling is largely sustained. As such the uniform character of the street scene will not be dramatically altered in line with the requirements of the Aldwick Village Design Statement.

The extensions and conversion will be subservient to the main dwelling, materials to match existing will be ensured via condition and the proposed front windows will be similar in appearance to the windows of the existing house.

The proposal is considered to be acceptable in design terms.

NEIGHOUR AMENITY

Owing to the location of the extension between and behind the existing garage and house and the site being a corner plot, no neighbouring dwelling would receive a direct impact from the proposal. As such it is considered to be acceptable in terms of neighbouring residential amenity.

A condition will be attached to ensure that the annexe is not in the future converted to a separate residential dwelling and is incidental to the use of the main dwelling.

TREES

The Council's Arborist is satisfied the proposal is far enough away from nearby TPO trees that their roots and overall health would not be damaged by the extensions.

PARKING AND HIGHWAYS

Whilst the proposal will reduce the amount of off street parking from 3 spaces to 2, the area is not heavily parked on street. As such with 2 spaces being retained it is not considered that the

proposal would lead to undue on street parking which could lead to highways danger.

The application is recommended for conditional approval.

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 protect 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 (negative, Neutral or positive) 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 assessment of the proposal is considered to have a neutral impact.

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 materials and finishes of the external walls of the annexe hereby permitted shall match in colour and texture those of the existing dwelling and garage.

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

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

1/1250 REV - C
1/1250 REV - A
1/500 REV -
Proposed Ground Floor Plan
Proposed Elevations

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

- 4 The annexe hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 14 Bradlond Close, Aldwick as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.