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

REF NO: **AW/286/16/HH**

LOCATION: 147 Rose Green Road
Rose Green
Aldwick

PROPOSAL: Single storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The extension will be 3m deep, span the width of the dwelling and have a flat roof with a total height of 2.8m. It is necessary to demolish an existing external toilet extension which shares a party wall with 149.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The boundary to 149 is close boarded fencing approximately 1.7m high. Circa 1m high hedge to the eastern side.
SITE CHARACTERISTICS	The application site comprises an end of terrace dwelling, located at the east end of a terrace of 4 dwellings. There is an attached single storey garage. To the front of this is a parking area for 1 car. The existing dwelling therefore has 2 car spaces. To the rear, the site has a southern boundary with Rossalyn Close. The dwelling is constructed of red brick, with small plain red/brown weather roof tiles. The existing terrace has a consistent appearance in terms of materials. The subject dwelling has a small rear single storey extension and a rear outbuilding.
CHARACTER OF LOCALITY	To the east and set slightly forward of the site is a pair of semi-detached dwellings. The closest of these two dwellings has a gable facing the site which has 2 first floor windows facing the site. The immediate locality of the site on this side of Rose Green Road is characterised by terraced dwellings and semi detached dwellings which are located close together.

RELEVANT SITE HISTORY

AW/107/16/PL	Demolition of existing garage & erection of two storey side extension to form 1 No. dwelling with on site parking facilities.	App Cond with S106 08-07-2016

Application AW/107/16/PL approved a new dwelling on the eastern end of the terrace. A resubmission of this is still being determined and includes an additional single store rear projection to match this proposed extension.

REPRESENTATIONS

Representations received:

None received.

Comments on Representations received:

N/A.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area;
Within Pagham Harbour Access Management Zone B; and
Class C Road.

DEVELOPMENT PLAN POLICIES

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 and Alterations to Existing Buildings (residential and non-residential) D SP1 Design 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; Aldingbourne; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; and Yapton.

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

The site is located within the built up area boundary where the principle of extending a property is acceptable subject to normal development control criteria such as visual and residential amenity.

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 be 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.

Although the extension is to the rear, it will face onto the streetscene of Rossalyn Close. However, it will be 15m back from the roadway and will be a subservient addition to the dwelling. It is proposed to use matching elevation materials and the new felt roof will be flat and therefore of limited visibility from the road. No concerns are raised as to the design.

It is not considered that the extension will affect the amenity of the windows in the neighbouring property (149) as there is an existing rear extension on 149's side which will screen out any impact. The proposed new dwelling on the eastern end of the terrace will not have any principal windows on the rear elevation (back door & kitchen window) and would not therefore be adversely affected.

It is also considered likely, given the dimensions of the extension that it would be permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

It is therefore recommended that permission be granted 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 following approved plans:

Sheet 1 of 3 - Proposed Ground & First Floor Plans and Elevations;
Sheet 2a of 3 - Proposed Parking Detail, Cycle Store Plan & Elevations, Block and Location plans; and
Sheet 3 of 3 - Existing Floor Plans, Elevations and Roof Plan.

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 The materials and finishes of the external walls of the extension hereby permitted shall match in colour and texture with those of the existing building.

Reason: In the interests of amenity in accordance with policy 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.

5 INFORMATIVE: Although a cycle store is shown on the proposed plans, this is not included in the description of development and is not approved by this permission. However, the cycle store is likely to benefit from permitted development rights.