PLANNING APPLICATION REPORT

REF NO: **AW/29/10/**

LOCATION: Oakwood
2 Seabrook Close
Aldwick

PROPOSAL: Alteration of part of existing garage and construction of occasional accommodation for family & friends.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 780 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to front. Close boarded fencing approximately 1.8m high to side.
SITE CHARACTERISTICS	The site is a two storey detached dwelling with brick faced elevations and a tiled hipped roof.
CHARACTER OF LOCALITY	The site is located in a residential cul-de-sac of properties of a similar style.

RELEVANT SITE HISTORY

AW/160/07/	Single storey garage extension.	Approve Cond 03-08-2007

REPRESENTATIONS

Representations received:

No Objection: Members voted by 5 votes in favour of this application with 1 abstention. Members wished for the following condition to be observed that no revisions are made to the current plans in relation to additional windows overlooking Cedar Close.

One letter of objection, raising the following main points:
- The effect of the height of the building on the property to the rear.
- The possibility of windows being added to the original side elevation, which would create an infringement of privacy.
- The owner has already installed a number of wall lights, permanently alight during the night. There is concern that additional lights, to illuminate the narrow passage between the garage

and side boundary, will make unwanted light even worse.
- The value of the neighbouring property may be affected.

Comments on Representations received:

Comments on Parish Council Representation: Noted. A suitable condition has been recommended.

Comments on other Representations: Noted. Whilst it is appreciated that the proposed extension will be visible from the properties to the rear, it is not considered to result in significant overbearing. A suitable condition has been recommended to prevent any additional windows being installed within the side elevation without planning permission. The planning department does not have control over the addition of lighting of properties. Property value is not a material planning consideration.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area
Tree Preservation Order
Permitted Development Restriction

DEVELOPMENT PLAN POLICIES

South East Plan:		
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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

This application seeks planning permission for the construction of a first floor extension to provide occasional ancillary accommodation at 2 Seabrook Close, Aldwick.

The proposed extension would measure, at maximum, approximately 5.9m in width, 8.3m in depth, and would have a hipped roof flush with the existing dwelling. The proposal would also include the addition of a single storey element to the front of the extension, protruding a further 1.4m from the front of the building.

The extension is to be constructed with materials to match the existing building, with the exception of tile hanging to the first floor side elevation. It is considered that by reason of its scale, design and materials, the proposed extension would be in keeping with the existing building and as such would not have a significant impact on the visual amenities of the locality.

It is noted that concerns have been raised regarding the impact of the proposed extension on the property to the north, no.3 Cedar Close. Whilst it is appreciated that the extension will be visible from this property, it is not considered to have materially adverse impact on the residential amenities of the occupiers of the property by means of being over bearing. This is due to the distance between the flanks of the two properties, which is a minimum of approximately 21m. Furthermore, the depth of the extension is approximately 8.3m, whilst the rear garden of no. 3 Cedar Close, which the extension would lie adjacent to, measures approximately 20m in width.

At present there are no windows within the side elevation of the proposed extension. It is considered that the addition of any such at first floor level would cause undue detriment to the residential amenities of the occupiers of the properties to the north, and as such it is considered prudent to recommend a condition preventing the addition of any such windows without a further planning application.

It is therefore recommended that the application be approved, subject to the following conditions:

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 This permission relates to the following approved plans; Location plan, block plan, parking layout and access plan, proposed floor plans, roof plan, and elevations, received 24th February 2010.

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 accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 2 Seabrook Close 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.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the northern 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: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19,

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.