

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

REF NO: AW/352/17/HH

LOCATION: 21 Barrack Lane  
Aldwick  
PO21 4EJ

PROPOSAL: Proposed extension to side & rear

SITE AND SURROUNDINGS

|                                       |                                                                                                                                                                                                                                                                         |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | As above.                                                                                                                                                                                                                                                               |
|                                       | The proposed rear extension measures approximately 3.5m deep, 6.6m wide and 2.9m high.                                                                                                                                                                                  |
|                                       | The side extension measures approximately 8.5m long, 2.9m wide (max) and 2.9m high. The side extensions incorporates the existing side projection.                                                                                                                      |
|                                       | Materials for the extension would match the existing property on the walls with a flat roofs.                                                                                                                                                                           |
| 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                    | The front of the site is open with access drive to garage. To the east there is a timber fence approximately 1.8m high to the west and south there is a similar fence and some mature planting.                                                                         |
| SITE CHARACTERISTICS                  | Detached single storey property constructed of brick beneath a tile roof. The property has a detached single storey to the front along the east boundary. In addition there is a greenhouse and shed between the main house and the eastern boundary behind the garage. |
| CHARACTER OF LOCALITY                 | Residential comprising similar style properties on the south side of Barrack Lane. To the west there is an area of open space with mature planting and to the rear there is cul de sac of Stirling Way                                                                  |

RELEVANT SITE HISTORY

No relevant planning history

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Aldwick Parish Council objected to the proposed development for the following reason;  
The extension compromises the established spatial character and pattern of the street and because the additional parking would bring the parking area across the front of the house. Therefore, Members agreed that the proposed application is in direct conflict with policy Dev 19 (v) of the Arun District Local Plan 2003 and with the Parish Design Statement page 35: 'Soft landscaping at the front of these properties contributes to the semi-rural character of the lane.'

No response to public consultation

### COMMENTS ON REPRESENTATIONS RECEIVED:

The comments are noted and addressed in the conclusions below

## 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                  |
| GEN9  | Foul and Surface Water Drainage              |
| 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                        |
| W DM3  | Sustainable Urban Drainage Systems             |

**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.

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. Consultation into the modifications began in January 2018 for a period of 6 weeks.

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.

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).

**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 application site is situated within the built up area and within established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed extensions would be sited to the rear and side of the property and would not be visible from the road, the side extension being located behind the existing garage. The proposal will involve the removal the sheds and greenhouse. The proposed rear extension would be set within the rear elevation of the main house, It would be sited approximately 5.5m from the west boundary of the site and 5.3m from the east boundary. Therefore, it is considered that the proposed extension would be subordinate to the main house and retains an adequate amount of rear garden, 5.5m deep.

The side extension replaces the existing shed and greenhouse and infills the gap to the front and rear of the existing side projection. It would be sited approximately 0.3 - 0.4m from the side boundary to the east. The extension would be sited approximately 2.7m from the rear elevation of the main house. Materials on the walls would match the existing property. There is a flat roof which keeps the extension low in relation to the main house.

The proposed parking extension would use permeable materials and would remove part of the current garden area on the open frontage. However, given its size it is not considered to be demonstrably harmful to the character and appearance of the wider area to merit refusal on this ground. In some cases permeable parking can be created under permitted development.

It is considered that the proposed extension is in keeping with the character and appearance of the host property and is not considered unduly dominant on the property and as such is not considered harmful to character of the wider area.

There is no adjoining property to the east as such there is no impact on residential amenity. Given the size of the extensions and their siting there is no adverse impact on properties to the south on Stirling Way.

With regard to the property to the east No,19, given the position and size of the rear extension this aspect of the proposal will not have an adverse impact on the occupiers of No.19. The side extension would be built up to 0.3 - 0.4m of the side boundary. Whilst the extension would be in line with the current side addition it does increase the length of the side elevation. No 19 does have windows in its side elevation, one includes a door and serves a kitchen the other serves a living room but is a secondary window as there is another window in the rear elevation. Although the proposal would bring a longer extension close to the side boundary, the side windows in the proposal are high level and obscure glazed, this can be secured by a suitable planning condition, therefore, there will be no

overlooking. The proposed extension would increase the sense of enclosure along the side of boundary with No.19 it is considered on balance, particularly as the main impact would be to the kitchen, that given the height of the proposed extension that this impact would be sufficient to merit refusal of permission.

The proposed parking area extension would have no harmful impact upon the amenity of the adjoining occupiers such that it would justify refusal.

There are no parking implications arising from the proposed development. Indeed the proposed parking area extension would allow the opportunity to leave the site in a forward gear.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the character and appearance of the host property and the amenity of adjoining occupiers at No.19. The proposed development would therefore comply with planning policies in the Arun Local Plan 2003 and the Aldwick Parish Design Statement

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 location plan, site plan, drawing 3 existing and proposed floor plans, drawing 4 existing elevations & drawing 5 proposed elevations.

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 of the extensions 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 The windows on the east elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

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

- 5 The hard surface shall be made of porous materials, or provision shall be made to direct run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason: In order to prevent flooding through surface water run-off and pollution of the water environment in accordance with policy GEN7, GEN9 of the Arun District Local Plan, the requirements of the NPPF and Local Government 'Guidance on the permeable surfacing of front gardens'.

- 6 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.