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

REF NO: **AW/358/15/HH**

LOCATION: 11 Waters Edge
Aldwick

PROPOSAL: Single storey rear extension & swimming pool . Revision to part of scheme previously approved under planning application No. AW/208/15/HH

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. This proposal omits the previously permitted 2nd storey and also the gazed curtain wall and balcony at first floor. The small open swimming pool will be slightly raised and will extend on the same level as the existing rear terrace. The small previously approved extension is still proposed to the rear west to provide a bathroom. This will be at first floor level in the existing balcony area and will have a sloping roof off that of the dwelling. The single storey rear extension is for a snug/games room. This has windows to both sides and to the rear. There is a small linking stairway from the terrace to the existing rear balcony
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The west boundary is a brick wall of approximately 1.8m in high. The east boundary is a wooden panel fence of approximately 1.8m high.The front of this dwelling is generally open.
SITE CHARACTERISTICS	Detached dwelling of white painted brick with hipped roof. To the west there is secondary side element providing a double garage and room above set at a lower level than the main dwelling and also accommodated by a rearwards extension. The dwelling has a rear balcony and terrace. The rear faces the beach and sea.

CHARACTER OF LOCALITY	Predominantly residential characterised by fairly substantial detached dwellings of broadly similar design, although in places there is variation in materials. The dwelling to the west has a rear linked element close to the boundary. The dwelling to the east is of similar design and has a rear balcony, with rear bedroom windows centrally located.

RELEVANT SITE HISTORY

AW/100/12/T	Crown reduce 2 no. Monterey Cypress trees by 1m and crown lift to 2m.	ApproveConditionally 28-06-2012
AW/250/14/T	Fell 1 No Cupressus Macrocarpa tree	ApproveConditionally 03-11-2014
AW/259/14/T	Crown reduction of 1 No. Monterey Cypress tree by 1 metre	ApproveConditionally 03-11-2014
AW/208/15/HH	Ground & first floor rear extensions, balcony & internal alterations	ApproveConditionally 23-09-2015
AW/357/15/DOC	Application for approval of matters reserved by condition imposed under AW/208/15/HH relating to condition No. 3 - schedule & samples of materials & finishes to be used for external walls & roofs	DOC Approved 15-02-2016
BR/18/72	Construction of 2 detached houses both with garages	ApproveConditionally 01-03-1972
BR/630/72	Amendments to approved plans for plot 4	ApproveConditionally 22-09-1972
BR/277/76	Extension for loggia and balcony over relaxation of K3	ApproveConditionally 09-06-1976

This proposal seeks to revise AW/208/15/HH for ground & first floor rear extensions, including glazed curtain wall to side and side access balcony with privacy screen.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

No consultees. It5 was previously established under AW/208/15/HH that no trees were affected and this remains the case.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

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):	SD SP2	Built-Up Area Boundary
	D DM1	Aspects of Form and Design Quality
	D DM4	Extensions and Alterations to Existing Buildings (residential and non-residential)
	D SP1	Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton.

Aldwick has not prepared a Neighbourhood Plan.

The site falls within Area 4, Craigweil Lane in the Aldwick Village Design Statement (AVDS). Waters Edge is not identified as a main street.

The AVDS notes:
The cul-de-sacs that lead off Alexander Close and Craigweil Lane have a variety of different style houses and bungalows. Comprising a mix of large Georgian style detached homes and medium sized detached properties. Lucerne Court is unusual in that it has detached two storey properties to one side and bungalows to the other. Waters Edge is different again in that it consists of large detached split level homes of very similar design with integral garages.

The other private developments are Aldwick Place and Waters Edge both of which have access to the beach. They are both well laid out comprising a small number of different style detached homes.

Development Criteria include:

- New or replacement buildings or extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby.

- Where planning permission is required, preserve existing separation of dwellings, and prevent un-neighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived linkages between buildings.

- Materials matching the existing building to be used where appropriate.

- Exercise strict control over any roof development likely to be particularly intrusive by virtue of proximity to neighbouring dwellings. Any roof redesign should be sympathetic and in keeping with the character of existing properties.

- Preserve character of area.

The proposals are considered to be generally consistent with the guidelines.

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

PRINCIPLE

The site is within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which the application will be assessed are contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014) which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in change to the appearance of this dwelling. The proposals are sympathetic to the appearance of the existing dwelling in terms of roof pitches and eaves and massing. Walling elements are also sympathetic in terms of materials. The design and appearance are not considered to be incongruous or visually intrusive.

The development is acceptable in design and visual amenity terms and complies with policies.

RESIDENTIAL AMENITY

The extension is not considered to give rise to overlooking or loss of privacy, since on the west side it is screened by the gable of the rear side element of no. 15 sand also partially by a brick boundary wall. On the east side there is a 2m boundary fence and separation of more than 7m, this satisfactorily mitigates the potential for overlooking.

The scale, location and relationship of the development with adjoining development are not such that it would be unduly dominant or would result in undue loss of light. The development is acceptable in residential amenity terms and complies with policies.

PARKING

The dwelling benefits from 4 or more parking spaces. The extension will not result in loss of parking and proposes an increase. Parking provision will accord with standards for a dwelling of

the size proposed.

It is recommended that the application 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 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

In assessing this proposal the Neutral 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).

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 drawings:

Drawing Number 15773/04 Revision A - Proposed Site & Location Plans - Dated July 2015
Drawing Number 15773/02 Revision B - Proposed Plans - Dated July 2015
Drawing Number 15773/03 Revision B - Proposed Elevations & Perspectives - Dated July 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

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.