

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

REF NO: AW/41/15/HH

LOCATION: 42 Pinehurst Park
Aldwick

PROPOSAL: Alter existing store area to form new kitchen/diner.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of the existing store with increase in height to the roof to create an extended kitchen/diner.
SITE AREA	Approximately 261 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is open to the highway, rear has hedging approximately 1.2m in height then open fields, east and west side boundaries close boarded fencing and hedging approximately 1.8m-2m in height.
SITE CHARACTERISTICS	Detached two storey property with front bay window, detached garage on eastern side and store to rear, paved driveway. The property has light brown brickwork, white window frames with a tiled roof.
CHARACTER OF LOCALITY	Residential comprising semi-detached two storey, detached and semi-detached bungalows of similar style and design.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order
Article 4 Direction

DEVELOPMENT PLAN POLICIES

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

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

Extensions to existing residential buildings
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)
D SP1 Design
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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).

There is no Neighbourhood Development Plan for Aldwick under preparation.

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 application seeks to convert the existing store to the rear of the garage with alterations to the roof height to create an extended kitchen/dining room area.

The detached garage is sited on the eastern side with an access between and the store being sited to the rear of the garage is attached to the kitchen. To convert the store into living accommodation the roof is to be raised from 2.4m to 3m and to provide for additional light into this area a lantern roof light is proposed that will increase the height to 3.3m.

The neighbouring property to the east No 44 is sited approximately 1m away and the store is sited in line with the rear flank wall of this property. There are no windows on the side flank wall of this property and it is not considered that the minimal increase in the height would create a loss of outlook.

The roof will be visible above the existing garage by approximately 800mm to the front of the site. However, it would not have a significant impact on the visual amenities of the locality, nor would it have an adverse impact on the residential amenities of the occupiers of the neighbouring

properties.

It is therefore recommended to approve the application, subject to 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 for 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 a neutral impact has 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 plans received on 12th February 2015.

Location/Block/Floor Drg No 010115/SL-30 dt January 2015.

Proposed Elevations Drg No 010115/SL-32 dt January 2015.

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 extension 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 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.