

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

REF NO: **AW/46/13/**

LOCATION: 121 Manor Way
 Aldwick
 Bognor Regis

PROPOSAL: Rear extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey extension measures approximately 3.4m in width, 2.2m in depth with a height of 3m, overall height to include lantern roof light 3.5m. The proposed first floor addition measures approximately 4.2m in width, depth of 5.74m in depth with an overall height of 5.8m.
SITE AREA	Approximately 810 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Dwarf brick wall to front with shrubs, rear has close boarded fencing + shrubs/hedging approximately 1.8m-2m in height, sides mixture of close boarded fencing, hedging + tree screening over 2m.
SITE CHARACTERISTICS	Detached two storey property with pitched roof entrance porch, integral garage has been converted into residential accommodation, summer house in rear garden. The property has smooth render painted cream on the rear, front has painted brickwork on lower level, wood cladding with herringbone brickwork on upper level, red tiled roof with white PVCu windows.
CHARACTER OF LOCALITY	Within the Conservation Area. Private residential estate comprising detached properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

AW/283/88	Extension to provide granny annexe	Approve Conditionally 28-11-1988
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AW/65/05/

Front porch extension.

Approve Conditionally

14-06-2005

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection.

1 Letter of Rep

Has the extension commenced as there have been a large amount of rubble, bricks being removed from the property over the last couple of weeks.

There are several major developments taking place at various points within the estate, is there a time limit on completion.

1 Letter of Support

Aldwick Bay Company Limited are happy to support this application as the view is that the house will be greatly enhanced by the planned alterations.

Comments on Representations received:

Rep comments noted

At the time of the officer's visit on the 11th June 2013 the extension had not commenced.

There is no time limit on developments for completion. The only time limit imposed would be that it has to be commenced within three years from the date of the permission.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation officer

Awaited

Conservation Area Advisory Committee

No objection

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Within the Conservation Area

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[AREA2](#)

[DEV19](#)

[GEN2](#)

[GEN7](#)

Conservation Areas

Extensions to existing residential buildings

Built-up Area Boundary

The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

The Development Plan consists of the Arun District Local Plan 2003 which was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process

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 Conservation Area and surrounding residential 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 create a first floor extension above the existing sun room on the rear of the dwelling on the western side and create a single storey extension on the eastern side.

The existing sun room was constructed as part of the original dwellinghouse and it is set at an angle away from the rear elevation of the dwelling. The first floor extension will be sited on the same footprint and will create an extended bedroom with en-suite. The first floor addition will be to a height of 5.8m which is lower than the existing roof line.

The proposed flat roof extension on the eastern side will increase the existing kitchen. It has a width of 3.4m, depth of 2.2m and 3m in height. To create more light into this area a lantern roof light is proposed and this will increase the overall height to 3.5m.

With regard to residential amenity the single storey extension will be sited behind the existing building and will not be visible to neighbouring properties No 120 and 122. The first floor addition would be sited approximately 3m from No 122. There are no windows on the west side elevation so it is not considered that the extension would be of an overbearing nature nor would it create loss of outlook to the occupiers of No 122. The proposed windows at first floor level on the east elevation by reason of their siting have the potential to look into the rear garden area of the neighbouring property No 120 but this is not considered to be of an unacceptable level. Taking this into account it is not considered that the proposed extensions would create a loss of outlook or unacceptable overlooking to the neighbouring properties No 120 & 122 to recommend refusal.

The extensions are considered to be visually subservient to the host dwelling and the first floor addition is similar to that constructed at No 125 Manor Way which was granted planning permission under AW/242/03. The proposal is set back from the front of the dwelling by approximately 6m and front boundary by approximately 16m. Although it will be visible from the front of the site it is not considered to be of an obtrusive nature, nor would it harm the established character and appearance of the Conservation Area and the surrounding residential area.

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

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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: Site 1:1250, Block 1:500, Proposed Ground Floor Drg No 1322/01/04/A, Proposed First Floor Drg No 1322/01/05/A, Proposed Ground/Floor/Roof Drg No 1322/01/03/A, Existing/Proposed Elevations Drg No 1322/01/02/B received on 28th May 2013.

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 and roof of the first floor extension and walls of the ground floor extension hereby permitted shall match in colour and texture those of the existing rear elevation of the building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed in the north and west side elevation of the first floor extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 5 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.