

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

REF NO: **AW/5/13/**

LOCATION: 33 Aldwick Avenue
Aldwick

PROPOSAL: New barrel vault roof light, new marley cedar weatherboard cladding, soffits and fascias, re-arrange position of existing rooflights and repairs to existing chimney (additions to previously approved planning permission AW/140/10/)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The new perspex barrel vault flat rooflight to be positioned above the kitchen area measures approximately 0.9m width, depth of 1.8m and height of 0.3m.
SITE AREA	Approximately 732 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary has hedging, east side boundary close boarded fencing + trellis approximately 1.8m in height, side boundaries a mixture of close boarded fencing + soft landscaping approximately 1.8m in height, rear has wooden posts approximately 1m in height adjacent to foreshore.
SITE CHARACTERISTICS	Detached three storey property with attached garage on front east side, balcony on ground floor rear elevation, raised decking area to rear, wooden shed in rear garden. The walls have reddish/brown brickwork, cement weatherboarding, white windows and doors.
CHARACTER OF LOCALITY	Private residential cul-de-sac comprising detached properties, predominantly two storey on large plots of various styles and designs.

RELEVANT SITE HISTORY

AW/37/09/	Extensions & alterations.	Refused 12-05-2009
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AW/116/09/	Extensions and alterations (re-submission following refused application AW/37/09)	Refused 28-08-2009 Appeal: Dismissed 22 12 2009
AW/140/10/	Extension and alterations to single dwelling (Resubmission of AW/116/09/)	Approve Conditionally 15-09-2010
AW/19/85	Details in pursuance of BR/682/84 for one detached dwelling and garage	Approve Conditionally 15-05-1985

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Members have no objection to the application.

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 2/58

DEVELOPMENT PLAN POLICIES

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

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

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.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 for additions to the approved planning permission AW/140/10 which was granted at the Development Control Committee meeting on the 15th September 2010 for extensions and alterations. The proposed works include extensions to the front and rear on the north and south elevations, re-arrangement of existing windows and new windows with the installation of a barrel-vault roof light within the flat roof above the kitchen. The external elevations to be clad with a coloured weatherboard with soffits and fascias renewed.

The extensions as previously approved under AW/140/10 will increase the front ground, first and second floor areas and the rear extension will increase the floor area to the lounge and provide further floor area to the first and second floor bedrooms above but this is within the existing footprint.

The addition of a low level glazed lantern style rooflight will be positioned on the flat roof above the kitchen. In view of its minimal size and height it is not considered that this would be of an obtrusive nature, nor would it have a detrimental impact on neighbouring properties.

The number of windows remain as previously approved but these have been re-positioned on the existing dwelling and extension. All existing and proposed new windows are to be replaced with white finished PVCu.

The extension to the roof will be finished in tiles that match the existing roof being Redland 'Stonewold II' interlocking concrete tiles. The building and extension will be clad with a coloured fibre cement weatherboard in a shiplap style, grey in colour with the fascias and soffits being renewed in white.

The properties within Aldwick Avenue are a mixture of materials and finishes and the proposed cladding is considered to be comparable with other beachfront properties and not out of keeping within the immediate area.

It is not considered that the repositioning of the existing and proposed new windows and the minor modifications would adversely affect the neighbouring properties No 31 and 35 by way of unacceptable overlooking or loss of outlook.

The application is therefore recommended for approval, 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 on 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: Site/Location Drg No 3106/EX01, Proposed Block/Location/Floor Drg No 3016/PR10 Rev A, Proposed North/South Elevations Drg No 3106/PR11 Rev A received on 24th January 2013, Proposed East/West Elevations Drg No 3106/PR12 received on 14th March 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 building shall be clad as per sample in a coloured fibre cement weatherboarding colour grey, the fascias and soffits in white as per sample. The roof to be finished in Redland 'Stonewold' interlocking concrete tiles to match the host dwelling and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The windows on the east side elevation as shown on Drg No 3106/PR12 WG12 on the ground floor and WF08, WF09, WF10, WF11 on the first floor shall at all times be obscured glazed.

The windows on the west side elevation as shown on Drg No 3106/PR12 WG05, WG06 on the ground floor, WF04, WF06 on the first floor and WS02, WS03 on the second floor shall at all times be obscured glazed.

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

- 5 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 east and west side elevations of the building 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.

- 6 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 7 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.