

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

REF NO: **AW/60/15/HH**

LOCATION: 16 Rossalyn Close
 Aldwick

PROPOSAL: Two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a two-storey side extension to this terraced dwelling. The extension would be 5.4m wide at the rear. It would be formed by a short 0.78m continuation of the front wall of the existing house and the main 'front' wall would then be angled back ending approximately at the middle of the side gable of the existing house. The side wall of the extension would then run parallel to the side wall of the dwelling. The extension would extend 1.35m beyond the rear wall of the existing dwelling.

The footprint of the main existing dwelling is approximately 40sqm. The footprint of the proposed extension is approximately 50.3sqm.

Apart from annotation indicating 1 first floor room is a bedroom and 1 a shower room, the use of 2 other much smaller and irregularly shaped rooms has not been indicated. The use of the ground floor room has also not been annotated.

The main 'front' wall, which faces partly forward and partly sideward is angled back by slightly more than 40 degrees. This 'front' wall has 1 ground floor and 2 first floor windows. In the side wall there is a ground floor window and in the rear 2 first floor windows and ground floor patio doors.

The roof of the extension would be flat and hidden behind what appear to be a shallow tiled false pitch. Proposed materials are brickwork for the extension (no cladding is proposed at first floor), tiles with felt roofing

	behind and UPVC windows.
SITE AREA	The approximate site area is 0.03 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site boundaries are a mixture of 1.8m wooden panel fencing and hedgerows of a similar height. The southern side boundary also contains a number of small trees.
SITE CHARACTERISTICS	The application site is occupied by a two-storey dwelling which is as the southern end of a terrace of 3 dwellings. The dwellings appear to have been recently refurbished. The dwellings have brown plain concrete tile roofs, horizontal wood cladding at first floor and a mixture of render and brick at ground floor. The application dwelling has a detached single garage to the front/side with access from the turning head serving these dwellings. On site parking appears to be sufficient for at least 3 cars at the present time, excluding the garage. The side and rear garden of the property is separated from the front area of the dwelling by a 1.8m wood panel fence. There is a screen fence between the application dwelling and the bungalow to the west. This screens the side and rear garden of the bungalow. The site has an irregular shape, being narrower at the front and wider at the side and rear. The character of the area is a mixture of bungalows to the south and two storey dwellings to the north.
CHARACTER OF LOCALITY	

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area.

DEVELOPMENT PLAN POLICIES

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

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

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
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

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.

National Planning Policy Framework (NPPF)

The NPPF (Section 7) states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Planning policies and decisions should aim to ensure that development, amongst other matters:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation
- are visually attractive as a result of good architecture and appropriate landscaping.

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Aldwick does not have a Neighbourhood Area designation and has not prepared a Neighbourhood Plan.

In January 2014 this Council endorsed Aldwick Village Design Statement (AVDS) as a material

planning consideration.

Rossalyn close is with AVDS Area 7, Rose Green. Development Criteria for this Area 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 existing boundary walls, trees and hedges
- Preserve the character of the area.

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenity of the locality as a consequence of the impact on the appearance of the dwelling in the street scene and it would 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 located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application must be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policy in the Emerging Local Plan is also a consideration and is Government advice in the NPPF.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in significant change to the appearance of this dwelling. The visual impact on the appearance of the dwelling will to some degree be mitigated by the location of the extension and the orientation of the main walls. However, the proposed extension will not be sympathetic to the appearance of the existing dwelling and the design is considered to be incongruous and to have a

detrimental impact appearance of the dwelling.

The design of the extension includes windows which do not reflect the proportions of existing windows and which lend the extension an unsatisfactory and incongruous appearance which is considered to be detrimental to the appearance of the existing dwelling.

The proposed roof is a device to hide a large extent of flat roof, necessary because of the complexity of providing a full pitch for the irregularly shaped extension, if this is possible to do on a manner which would be sympathetic to the existing dwelling in any event.

There is sufficient land to the side of the application dwelling to accommodate a two storey extension of a more regular design and more likely to be sympathetic to the appearance of the dwelling. This might be narrower than the proposed extension, but it would still nevertheless provide a significant amount of additional accommodation.

Whilst the location of the extension is not widely visible, it represents unsatisfactory design and is detrimental to the appearance of the dwellings.

The Council's adopted and emerging policies seek to ensure development which is of at least satisfactory quality, as does advice on the NPPF. This is not the case in this application.

CONCLUSION

The proposed works are considered to result in significant harm to the appearance of the dwelling and represent unsatisfactory design which would not be in accord with policy.

It is therefore recommended that the application be refused for the following reason.

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 refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed extension by reason of its size and design would result in the erection of an extension to the existing dwelling which would have an incongruous and unsympathetic visual appearance and would be of unsatisfactory design detrimental to the appearance of the dwelling and to visual amenity generally contrary to policies GEN7 and DEV19 of the Arun District Local Plan 2003, DDM1, DDM4 and DSP1 of the Emerging Arun Local Plan October 2014 National Planning Policy Framework, including in particular Section 7, Requiring Good Design.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

The Applicant's particular attention is drawn to the report relating to this application which clearly sets out why the proposal as submitted is unacceptable and in addition suggests a potential way forward (subject to detailed design and planning permission).