

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

REF NO: AW/64/18/HH

LOCATION: 44 Churchill Avenue
West Meads
Aldwick
PO21 5PZ

PROPOSAL: Ground floor extension to front of property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Lean to type extension across the front of this dwelling to provide enlarged lounge and hallway with toilet. 2.5m deep and 5.8m wide. Eaves 2.3m and top of roof 3.7m, to 0.2m below cills of first floor windows.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open plan development. Site is open to front. To north west front the is a side wall of some 2m in height, this is the rear wall of 1 St Peters Close. To south east side 1m privet hedge of adjoining dwelling.
SITE CHARACTERISTICS	The site is occupied by an end terrace dwelling which is one of a pair set forward from the other pair in the terrace. It is constructed of red brick with brown tile hanging. Roof tiles are brown profiled concrete. To the front there is a detached single garage. The front of the site is tarmacked and can accommodate 3 or more cars.
CHARACTER OF LOCALITY	The area is a residential estate type development. Dwelling types and materials are mixed. There is a similar front extension to that proposed in this application at no.50 in the terrace to the south east and close by. There are also other examples of similar front extensions in the locality.

RELEVANT SITE HISTORY

AW/42/04/	Detached double garage	Refused 31-03-04
AW/99/04/	Proposed single detached garage (Re-submission following AW/42/04)	ApproveConditionally 27-08-04

AW/179/04/

Erection of a dividing wall between 44 Churchill Avenue
and 1 St. Peters Close.ApproveConditionally
20-10-04

Noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No comments received from Aldwick Parish Council.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

No consultees.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

TPO - Bognor No. 2

Pagham Harbour Access Management Zone B

DEVELOPMENT PLAN POLICES[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 & Alterations to Existing Buildings
D SP1	Design

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10 Aldwick Parish Design Statement

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) were published for Public Consultation purposes over a six week period from Friday 12 January 2018 until 5pm on Friday 23 February 2018 and the consultation period is now over. The emerging Arun Local Plan is therefore at a very advanced stage and carries weight.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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 Plan for Aldwick. The Aldwick Parish Design Statement has however been adopted for the purposes of Development Management. The site falls within Area 15, West Meads and 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.

- When any development is undertaken, existing separation of dwellings should be preserved to prevent unneighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived linkages between buildings.
- Strict control should be exercised 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.
- Materials matching the existing building should be used where appropriate.

The proposed development is in accord with the Design Statement.

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 located with the boundary of the built up area and as such there can be no objection to the principle of development subject to compliance/consistency with the policies and all other material considerations.

DESIGN AND VISUAL AMENITY

This extension is sympathetically designed and is considered not to be intrusive visually. It is set behind an existing single garage and the fronts of these dwelling have a set back from the road which increases northwards to 21m in front of the application dwelling. This is considerably further away than no.50 at 13.5m which has the existing similar front extension. The extension would also be subservient in terms of height and appearance generally.

The application has suggested slate for the roof, which whilst not the same as the brown profiled concrete tiles would be generally in keeping with the appearance of the dwelling. The scheme which will not be unduly dominant or intrusive visually in terms of impact on surrounding dwellings.

RESIDENTIAL AMENITY

The development is considered to result in very limited impact on the amenity of the adjoining dwelling to the south, but is not considered that this is harmful. The adjoining dwelling has a large front lounge window and the extension would not encroach into a 45 degree outlook from the centre of this window. Light loss would not occur given the north east facing orientation of the front elevations of these

dwellings.

CONCLUSIONS

The proposed development is not considered to give rise to harm to amenity is in accord with the Development Plan and acceptable in terms of other material considerations.

It is therefore recommended that planning permission be granted 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 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 following 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).

The proposal would have a neutral impact on the protected characteristics.

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:

Proposed Site Plan - Received with Application
 Proposed Floor Plan - Received with Application
 Proposed Front Elevation - Received with Application
 Proposed Side Elevation & Proposed Section - Received with Application
 Proposed Roof Plan - Received with Application

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 front extension hereby permitted, including the roofing slate proposed on the submitted application form, shall be similar in appearance to those of the existing dwelling.

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 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.