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

REF NO: AW/72/18/HH

LOCATION: 24 Faresmead
Aldwick
PO21 3DQ

PROPOSAL: Alterations & single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposals seeks to create a rear infill extension and reorganise the openings on the host dwelling.
SITE AREA	Approx. 337sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by 2m high fencing.
SITE CHARACTERISTICS	The site is populated by a semi-detached two storey dwelling.
CHARACTER OF LOCALITY	The area is populated by a mix of housing styles and types.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No comment.

Adjacent neighbours:
1 - Loss of light
2 - Future maintenance of fence will be difficult
3 - Concerns about the disposal of rainwater runoff
4 - Worried about the footings encroaching onto their land
5 - Wish for the fencing between the properties to remain

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.
1 - It is not considered that the proposal will result in a significant loss of light in any principle rooms at the neighbouring property.
2, 3, 4 & 5 - These are not a planning concerns, they are civil matters that will need to be discussed

between neighbours.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

DEV19	Extensions to existing residential buildings
GEN7	The Form of New Development

Publication Version of the Local Plan (October 2014):

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

D SP1 Design

SD SP2 Built -Up Area Boundary

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 Main Modifications to the Arun Local Plan (2011-2031) were previously out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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

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).

Aldwick does not have a 'made' neighbourhood development plan, however, the Aldwick Parish Design Statement has been part of this determination 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 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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in GEN2 of the Arun District Council Local Plan, and SD SP2 of the Emerging Local Plan. In this case, the key policies

are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan and Aldwick Parish Design Statement.

DESIGN AND VISUAL AMENITY
Due to the location of the proposal, found at the rear, there are very few available views of the development from the street scene. As such, it is not deemed to have a significantly adverse impact on the established spatial pattern of the locality. The proposal is deemed to be subservient to the host dwelling as a result of its modest scale and matching materials. Therefore, the proposal is considered to retain the established character of the dwelling, and therefore the visual amenity of the area.

The proposal is considered to be in accordance with GEN7(ii), DEV19(i),(ii) and (v) of the Arun District Council Local Plan and the criteria within Aldwick Parish Design Statement in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY
The development would be single storey and of a modest depth, as it extends to the existing rear wall of the host dwelling. The proposal is not considered to cause a significant loss of light in any principle rooms in the adjacent dwelling, not have an unacceptable overbearing or overshadowing impact upon this property. The proposal is considered to be in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan in terms of neighbouring residential amenity.

SUMMARY
The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following 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 plans:

- Existing Plans - Existing Elevations - Location Plan - March 2018 - Drg 1

- Proposed Plan - Proposed Elevations - Site Plan - March 2018 - Drg 2

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 development 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 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.