

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

REF NO: **A/110/13/**

LOCATION: Acorns
 Arundel Road
 Angmering

PROPOSAL: Single storey side extension with pitched roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension would project approximately 4 metres, is approximately 3.6 metres in width and 3.8 metres to roof ridge height.
SITE AREA	Approximately 921 square metres.
TOPOGRAPHY	The dwelling is on a raised area of land which is generally flat but then slopes downwards towards the camp site to the south.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Approximately 1 metre high timber post and rail fencing demarcating the rear garden.
SITE CHARACTERISTICS	The site is occupied by a two-storey dwelling which has timber weatherboard exterior finishing above a red brick plinth. The roof is tiled and has barn hipped ends.
CHARACTER OF LOCALITY	The site is located outside of the built-up area on a clearance within woodland which is set well back from the road and surrounded by mature trees. There is a camp site, operated by the occupants of the dwelling, on a grassy area to the immediate south and associated facility buildings to the north of the dwelling.

RELEVANT SITE HISTORY

A/153/07/	Replacement Caravan park owners accomodation (single detached dwelling) together with caravan park reception area. (Departure from the Development Plan)	ApproveConditionally 07-02-2008
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REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Outside of Built-Up Area

Permitted Development Restriction: A/153/07 Condition 5: No extensions or additional buildings without prior approval of the Local Planning Authority.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

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.

Paragraph 214 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. 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 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 proposed extension is considered to be modest in scale and will have no visual presence within any street scene or from public footpaths due to the secluded nature of the site and the screening offered by surrounding woodland. It will be located amongst an established group of buildings and will therefore not represent an isolated or alien development within the prevailing rural environment.

The proposed extension is considered to relate sympathetically towards the existing dwelling in terms of design and scale. Its single-storey height will ensure that it maintains visual subservience towards the host building whilst the addition will compliment the modular nature of the existing dwelling and will enjoy effective visual integration due to the use of matching exterior finishes and the roof eaves height matching that of other single-storey elements of the dwelling.

There are no residential dwellings immediately neighbouring the site and, as such, it is not considered that the proposed extension will result in any material impact upon residential amenities. It is noted that there are pitches for camping to the south of the dwelling that will be partially overlooked, however, the site is already overlooked by existing windows of the dwelling and it is not considered any of the views offered will be intrusive.

It is therefore recommended that the application is approved, 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 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 it has been determined that its approval would not result in any negative impacts 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).

As such, no specific mitigation measures are required.

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:-

1:2500 Location Plan;
1531.3;
1531.4;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture 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 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.