

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

REF NO: A/116/17/HH

LOCATION: 2 Meadowside
Angmering

PROPOSAL: Two storey side extension & minor alterations on the existing first floor

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension is 3.4m wide , 6.5m deep and has an eaves height of 5m and a ridge height of 6.4m.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The existing boundary treatment of the site is hedging to a height of approximately 1.8m on the western, southern and eastern boundary of the site. The northern boundary of the site forward of the primary elevation features a timber fence to a height of 1.83m reducing to 1m adjacent to the highway.
SITE CHARACTERISTICS	The site is occupied by a semi-detached two storey brick built dwelling with tile hanging at first floor level and a tiled roof.
CHARACTER OF LOCALITY	The character of the locality is predominantly residential consisting of properties of a similar design and style set back a similar distance from the road frontage.

RELEVANT SITE HISTORY

A/96/16/HH	Remove 1.83m high hedge bordering the footpath & replace with new 1.83m high timber fence, reducing to 1m high forward of house.	Refused 19-07-2016
A/102/17/HH	Retention of 1.83m high timber fence to north boundary. Install new 1.83m high timber fence with laurel planting to south facing	Refused 18-07-2017

boundary, reducing to 1m high forward of house. Re-Submission following A/96/16/HH.

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

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

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

The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
Materials

[Angmering Neighbourhood Plan 2014 POLICY HD4](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Policy HD4 Materials of the Angmering Neighbourhood Plan is considered relevant.

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

In this instance, the main criteria against which the application will 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. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities. Policy DEV19 of the Arun District Local Plan which requires extensions to be sympathetic and visually integrated with the existing building in terms of siting, design, form, scale and materials.

The development will result in a change to the appearance of the dwelling given the size of the extension, however, it is important to note that change is not necessarily harmful. The design, style and use of materials would match the existing dwelling. It would be visually well integrated with the existing dwelling and would result in a sympathetic addition to the dwelling. The application has been reduced in width following negotiation. The scaled down amended version of the scheme, represents an improved and less bulky 2 storey development which does not result in an unduly prominent building on the site. The extension would appear subservient given its set back position from the front elevation and lower ridge height. The dwelling is located on a corner site and is readily visible in the street scene, but given the position and dimensions of the extension it is considered that the staggered and set back appearance of the extension development is not considered to be visually harmful. The property retains a reasonable garden area to the front, side and rear and the proposed 2 storey extension does appear subordinate to the main house and as such is not harmful to the character and appearance of the area or the property.

Therefore, it is considered that on balance when considered as a whole the proposal would not adversely affect the visual amenities and character of the area.

With regard to impact upon the amenity of adjoining occupiers, the extension would not be abutt any neighbouring dwellings and the impact of overlooking to the rear is no worse than that resulting from the rear elevation of the existing dwelling. The 5.5m separation distance is less than is normally acceptable but it is considered to be adequate in this particular case, given the existing relationship. It is not therefore considered appropriate to impose any conditions relating to windows or glazing type.

The application is therefore recommended for approval subject to the following 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 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 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 Location and Site Plan 16223/01aR2, Proposed Floor Plans, Elevations and Roof Plan 16223/02R3.

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 extension 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable

development, as set out within the National Planning Policy Framework.