

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

REF NO: A/119/14/HH

LOCATION: Westend
High Street
Angmering

PROPOSAL: Rear single storey extension & porch to front elevation. This application affects the character and appearance of Angmering Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposal consists of two elements:

A single-storey extension to the rear of the dwelling measuring 4.39 metres in width by 5 metres in depth and approximately 2.8 metres to roof top height.

A porch extension to the front of the dwelling measuring 2.2 metres in width by 2.5 metres in height and 3.2 metres to roof ridge height.

SITE AREA

Approximately 268 square metres.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Open frontage. Rear garden enclosed by approximately 1.8 metre high timber fencing.

SITE CHARACTERISTICS

The site is occupied by an end-of-terrace two-storey dwelling which has red/brown brick elevation walls and a tiled, hipped roof. No significant extensions or alterations have been made to the original building.

CHARACTER OF LOCALITY

The site is located within the built-up area and also lies within the Angmering Conservation Area, which covers the historic core of the village. The road is bordered by an informal arrangement of dwellings, generally semi-detached or terraced, which consist of a mixture of designs, scales and age.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Four letters of support: Enhances the appearance, design and layout of the property without damaging the character of the area. Will remain in keeping with attached properties

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee.

No objection

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
	AREA2	Conservation Areas
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality	
	D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)	
	D SP1 Design	
	SD SP2 Built-Up Area Boundary	
	HER DM3 Conservation Areas	

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.

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: Arundel; Barnham & Eastergate; Felpham.

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.

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation 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 rear extension will have a negligible impact upon the street scene and surrounding conservation area due to its modest height and positioning to the rear of the dwelling. The proposed front porch appears to mimic a porch installed on the dwelling at the other end of the four dwelling terrace that West End is part of. It is therefore considered that the porch will create a symmetrical appearance to the terrace of dwellings. The porch will not project far enough to the front of the site to form an obstruction to the current views offered up and down the street which embrace a variety of buildings and are a key quality of the Conservation Area. It is therefore considered that the character and appearance of the Conservation Area will be preserved.

It is considered that the proposed works relate sympathetically towards the existing building. The hipped roof design of the porch will complement the main hipped roof of the dwelling. Both extensions are of modest height in comparison to that of the host dwelling and, as such, will maintain a visually subservient relationship towards it. It is therefore considered that the original building will not be overwhelmed by the proposed extensions.

It is noted that the wall of the rear extension will flank the kitchen windows of the neighbouring property to west and will also be within the field of vision of a lounge window which faces to the south. Attention should be drawn to the fact that an extension of the height of the proposal and of 3 metres in length could be constructed under householder Permitted Development rights. It should also be noted that there is an existing 1.8 metre high timber fence along the western boundary of the site.

It is considered that the low profile of the extension, aided by the use of a flat roof, and the degree of separation between the windows and the walls of the proposed extension, will prevent the extension from appearing overbearing towards the neighbouring dwelling to the west or from causing an undue increase in overshadowing above what is already produced by the existing fence. The extension will partially obscure a small landing window at the neighbouring property to the east but the bulk of it will be unaffected. Part of the eastern wall of the extension will run alongside a conservatory at the neighbouring property to the east. However, the aforementioned modest height will prevent undue overshadowing and the southern and eastern aspects of the conservatory will be unaffected. All windows and openings on the rear extension are at ground floor height and any views towards neighbouring dwellings will be interrupted by existing site boundary treatment. As such, there will be no potential for invasive levels of overlooking.

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 result in a neutral impact 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, there is no requirement for mitigation measures to be adopted.

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:-

PP-03598826;
1065/1 Revision A;

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 extension hereby permitted shall match in colour and texture those of the existing building(s).

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.