

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

REF NO: A/16/18/HH

LOCATION: 100 Downs Way
East Preston
BN16 1AF

PROPOSAL: Part single & part two storey extensions to rear & side.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a two storey extension to the side of this dwelling, this would provide 2 additional bedrooms at first floor with a bathroom and at ground floor an enlarged lounge, playroom/study, shower room and utility room. In addition at ground floor there would also be a 2.3m wide access way beneath the first floor and within the side extension. This would be open at the front and rear. The side extension would be partially single storey at the very side with a lean to roof onto the side wall of the new first floor, the first floor would therefore be slightly set in. This extension would also extend rearwards from the main rear wall of the dwelling by 5.5m and 4.5m from the rear line of an existing single storey lean to element. A small front porch is also proposed.

The design of the side extension would continue the front wall, eaves and ridge line of the existing dwelling and have a full side hip. The part of the side extension to the rear of the existing dwelling would have a lower ridge line and rear gable. An existing single garage to the side of the dwelling would be demolished.

A rear ground floor extension is also proposed which would be of the same depth as the rearwards extent of the side extension. This would have a flat roof. Above this at first floor there would also be a small 1m deep rear extension with flat roof. This would enlarge existing bedrooms.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Close boarded fencing and walling enclosing rear garden.

SITE CHARACTERISTICS

The property is one half of a pair of semi detached dwellings which are symmetrical in appearance. It has painted rendered elevations and a plain tiled roof with a flat roofed detached garage to the side.

CHARACTER OF LOCALITY

Predominantly residential characterised by mainly semi-detached dwellings of similar design set back a uniform

distance from the site frontage with gardens to the front behind a verge and relatively long rear gardens. Other similar two-storey side extensions exist to similar dwellings very close by and also adjoining at nos. 98, 102, 104 and 108.

RELEVANT SITE HISTORY

A/30/16/NMA	Application for a non-material amendment following a grant of planning permission A/74/15/HH relating to 3No. additional windows & 2No.rooflights	Approve 23-02-16
A/74/15/HH	Two storey side & rear extension.	ApproveConditionally 20-07-15

A/74/15/HH was for a similar development at the site to that presently proposed.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Angmering Parish Council - No objection

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Network Rail
Environmental Health

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No comments.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICESArun 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

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	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 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 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 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).

There is a Made Neighbourhood Plan for Angmering, and Policies HD4 (Materials) and HD5 (Built Form) are considerations. The development proposed is considered to be in accord with these policies.

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 within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan and Angmering Neighbourhood Plan which seek to prevent development that would have an adverse impact upon visual and residential amenities. Policies in the Emerging Local Plan are also considerations,

DESIGN AND VISUAL AMENITY

The proposed design of the side extension is similar to others in the immediate locality which have been carried out on similar semi-detached dwellings. The adjoining dwelling in the pair has a similar side extension although this is not extend rearwards in the manner proposed in this application. Visually therefore it would be difficult to object to the proposed extension as if anything the proposal would lead to a symmetrical appearance rather than result in the loss of one.

No.98 to the west and adjoining also has a similar side extension and therefore the existing gap will be largely lost with only some 2.5m remaining at first floor level. However, the gap between the extended nos. 102 and 104 to the east is similar to this and therefore it would be difficult to object, particularly as there will remain a visible gap and a terraced appearance will not result. There is considered to be no

harm to the street scene.

The articulation of the design due to single storey and two-storey elements to the side means that the extension would not have a massing which would be visually detrimental. The rear single storey and small first floor extensions are not considered to be unduly dominant or visually unacceptable in appearance.

The proposal is considered to be in accord with policies relating to design and visual amenity.

RESIDENTIAL AMENITY

The side extension does not result in overlooking or privacy loss and will not result in significant light loss. The adjoining dwelling has no side windows facing the site and the proposed extension has only a single first floor obscure glazed bathroom window. The potential for further openings can be controlled by a condition as can the obscure glazing/non-opening of the first floor side window which is proposed.

The single storey rear extension will result in a limited impact on no.102 given its depth of 4.5m. This will be mainly in terms of outlook from rear windows. However, the extension proposed has a flat roof and would be 3m high, 1m higher than the existing boundary fence. It would not therefore result in a loss of light or outlook or be unduly dominant.

The first floor 1m deep extension is considered to have no appreciable impact on light or outlook, nor on privacy.

The proposal is considered to be in accord with policies relating to residential amenity.

CONCLUSION

The proposal does not give rise to harm to visual or residential amenity. It is therefore recommended that planning permission be granted subject to the conditions which follow.

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 drawing:

Drawing Number 9917:1 - Existing & Proposed Floor Plans, Elevations, Roof Plans & Section - Received with Application
Drawing Number 9917:2 - Site & Block Plans - 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 first floor bathroom window in the west side elevation of the two storey side extension element of the development hereby permitted shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be constructed in the west side elevation of the development hereby permitted which adjoins or faces the side boundary with no.98 Downs Way, East Preston without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be constructed in the east side elevations of the development hereby permitted which adjoins or faces the side boundary with no.102 Downs Way, East Preston without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 6 **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.