

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

REF NO: A/207/16/HH

LOCATION: White Lodge
Rectory Lane
Angmering

PROPOSAL: Single storey side extension. This application affects the character and appearance of the Angmering Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to a single storey side extension measuring 5m wide by 7.5m deep with a ridge height of 6.8m. It would be constructed of materials to match the existing.
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	2m and 0.5m high flint walling and hedging on frontage and side boundary
SITE CHARACTERISTICS	2 storey property with gabled dormers and steeply pitched hipped roof. Plain tiled roof and white painted rendered elevations.
CHARACTER OF LOCALITY	Predominantly residential characterised by a mix of dwelling style. Recreation ground opposite.

RELEVANT SITE HISTORY

A/111/85	Single storey extension at side to provide Billiard room/Conservatory	ApproveConditionally 07-10-1985
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REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Listed Building Officer
Conservation Officer

Consultations responses received:

Historic Building Adviser - The design of the actual extension is now acceptable. My only remaining concern is the amount of wall being removed on the ground floor, especially under the beam. I believe this was raised with the previous scheme.

Conservation Area Advisory Committee - Objection. Size and scale are overbearing and gives rise to an unbalanced appearance to the main building which has a principally symmetrical appearance therefore the proposal detracts from the listed building and thus the conservation area.

Comments on Consultation responses:

Comments noted. The application has been amended from a 2 storey to a single storey extension to accord with the Historic Building Adviser's request. The final element of contention, is in the request to close down the width of the opening in the Victorian wall, which will be entirely internal. The ground floor has retained significant nibs of the original end elevation and these are considered to satisfactorily act as a record of the development of the building. The applicant has ensured, through stepping back the wall lines externally, leaving substantial nibs and by the necessity of a down stand internally, that the original external wall will be legible as such. The fabric which will be lost is of little historic value. This coupled with it being entirely within the applicant's home, not a visible change to the public realm, and in the least sensitive part of the building, has meant that the proposal is considered acceptable even though this view is not shared by the historic building adviser. To alter the internal layout as requested would fundamentally restrict the function of the space which the applicant is seeking to add.

POLICY CONTEXT

Designation applicable to site:
Listed Building Grade 2
Conservation Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN7](#)
 [AREA2](#)
 [DEV19](#)

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

[Angmering Neighbourhood Plan 2014 POLICY EH1](#)

[Angmering Neighbourhood Plan 2014 POLICY HD4](#)

The Form of New Development
Conservation Areas
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
HER DM1 Listed Buildings
HER DM3 Conservation Areas
HER SP1 The Historic Environment
Development in the Conservation Area

Materials

PLANNING POLICY 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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 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 EH1 Development in Conservation Areas and HD4 Materials of Angmering Neighbourhood Plan are 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.

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act 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 or the setting of the Grade II Listed Building or 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 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 Arun District Local Plan Policies GEN7 and DEV19 and policy HD4 of the Angmering Neighbourhood Plan which seek to prevent

development that would have an adverse impact upon visual and residential amenities.

The proposal relates to a single storey side extension which would be constructed of materials to match the existing dwelling. The application has been amended through negotiation from the 2 storey side extension originally submitted to a single storey. The ground floor element has been redesigned to have a subservient form, which is smaller than the Victorian extension, which is itself subservient to the main body of the house. The new window openings have been reduced, and a roof light omitted, the line of the front and rear walls have been set back from those of the Victorian extension, so that the original wall lines and extent can be read externally. Substantial nibs have also been retained within the extended room internally to ensure the original gable wall will still be able to be understood internally, together with a down stand to the opening. The materials and design are considered to complement the existing dwelling and the alterations now proposed would have no adverse impact on the character or appearance of the listed building.

The resulting development would not have a significantly adverse impact upon the established character of the street scene by virtue of its proportions, height, width and materials and would be visually subservient to the host property. The proposed extension is therefore considered acceptable in design terms and complies with policies GEN7(ii) and DEV19 (i), (ii) & (v) of the Arun District Local Plan.

The extension would be located 6m from the closest residential boundary behind an existing garage. It is considered that given its height, footprint and position the proposed extension would not have a significant overbearing impact or loss of light toward neighbouring properties in compliance with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

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

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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 Plan 1:1250, Block Plan 1:500, White Lodge Land Associated Plan 1:300, Proposed Ground Floor Plan 1701-201-B, Proposed First Floor Plan 1701-202, Proposed Elevations 1701-301-B and 1701-302 and Proposed Roof Plan 1701-203.

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 **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.