

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

REF NO: A/24/17/HH

LOCATION: Lloret
Station Road
Angmering

PROPOSAL: Demolish existing garage & rebuild new side extension. This application affects the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The demolition of a detached garage at the side of the property and its replacement by a chalet style side extension which appears as a single storey hip roofed extension at the front and has a mezzanine toward the rear which is served by rear roof dormer with a juliet balcony. The width of the extension would be 4 metres with an eaves height of 2.1 metres and a main ridge height of 5.8 metres, 0.9 metres, lower than the main ridge with a small half hip reflecting the half hip in the main dwelling roof. The extension would be set back 2 metres from the front elevation with a length of 7 metres to the rear elevation of the existing dwellinghouse.

SITE AREA

610 sq.m.

TOPOGRAPHY

The site slopes from the road up to the house by about 2 metres in height. The neighbouring listed building is located on the plot frontage and has a ground floor level set below the applicant's property by approx. 2 metres as a consequence.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

A 3 metre hedge at the side separates the applicant's property from the listed building. the Old Mill House to the south next door. A low wall with a trellis rising to 1.8 metre in height and landscaping behind forms the front boundary on Station Road.

SITE CHARACTERISTICS

A modern semi detached property set back 17 metres from the front boundary of the property with a 2 metre verge on Station Road.

CHARACTER OF LOCALITY

Station Road is a local connecting route between the A259, Angmering Village and the A27 to the north west of Angmering. Station Road has historically been a roadway and a number of listed buildings are located along the east side. The applicants property is part of modern post war housing developments infilling residential ribbon development on either side of Station Road. Consequently the area has a mixed residential character not just by house type but also by age of properties. The applicant's property and neighbouring properties to the north are set well back on the plots by approx. 20 metres and despite being elevated are not prominent within the street scene due to the high front boundary treatments and the location of listed buildings to the east right on the highway (Station Road).

RELEVANT SITE HISTORY

A/109/04/	To erect a white PVCu conservatory to the rear of existing house.	ApproveConditionally 28-09-2004
A/30/55	Application for pair of bungalows with garages	Approve 23-06-1955

The chalet bungalow was granted permission and built in the 1950's and had a conservatory approved at the rear in 2004.

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection

Comments on Representations received:

Noted

CONSULTATIONS

Listed Building Officer

Consultations responses received:

No comments recieved

Comments on Consultation responses:

N/a

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN
CLASS A ROAD
NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
GEN7
DEV19

Publication Version of the Local
Plan (October 2014):

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
HER DM1 Listed Buildings

Angmering Neighbourhood Plan 2014 POLICY
HD4

Materials

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 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.

Policy HD4 - Materials of Angmering Neighbourhood Plan is considered relevant to this application

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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.

LISTED BUILDING

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."

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.

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 are contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 and Angmering Neighbourhood Plan Policy NEAHD 4 in relation to materials which seeks to prevent development that would have an adverse impact upon visual and residential amenities. The impact on the setting of the neighbouring listed building are assessed against policy EHERDM1 of the Emerging Arun District Local Plan.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the erection of a side extension replacing a flat roofed garage.

The proposed extension is subservient to the existing dwellinghouse set back 2 metres from the front elevation and due to the set back of the property itself on the plot the proposed extension will not have a significant effect on the street scene.

The materials of construction would match the existing dwellinghouse and given that flat roofed garage with a felt roof would be replaced by a pitch roofed tiled extension it is considered that the proposal would enhance the setting of the Listed Building and more generally the street scene.

The proposal would be considered to comply with policies GEN 7(ii) & DEV 19(i),(ii) of the Arun District Local Plan, Policy HD4 of the Angmering Neighbourhood Plan and policy EHERDM1 of the Emerging Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension would not have any windows which would overlook the neighbouring property (The Old Mill House) in the side or front elevation nor would it have an overbearing impact when viewed from the habitable room windows of the Old Mill House given the boundary treatment in excess of 2 metres in height, the proposed extensions set back from the rear elevation of that property by 8 metres and the location of habitable room windows in the rear elevation of the Old Mill House on the south side of the rear elevation. The extension would be located to the north of the neighbouring property it is not considered that the proposed extension would cause a loss of light to those windows.

The proposed extension is considered not to result in any significant harm in terms of over bearing impacts, loss of light or overlooking such that planning permission ought to be reasonably withheld and therefore the proposal complies with policy GEN 7 and DEV 19 of the Arun District Local Plan

It is therefore recommended that the application be approved, 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;
Dwg.no. - Proposals 03 - Ground Floor and First Floor Plans dated Jan 2017
Dwg.no. - Proposals 04 - Proposed Elevations dated Jan 2017
Site Plan and Roof Plan received 8th February 2017

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 and DEV 19 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 buildings.

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 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.