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

REF NO: **A/62/13/**

LOCATION: 97 Old Worthing Road
Angmering

PROPOSAL: Single storey extension to rear elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension measures approximately 8 metres in length by 3.7 metres in width and 2.7 metres in height.
SITE AREA	Approximately 137 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The rear of the site is enclosed by approximately 1.8 metre high timber fencing. Part of the eastern site boundary is marked by the flank elevation wall of a single-storey extension to the rear of 99 Old Worthing Road.
SITE CHARACTERISTICS	The site is occupied by a terraced two-storey dwelling that has red/brown brick elevation walls and a tiled, hipped roof. The rear garden is predominantly hard surfaced. There is a covered area towards the far end of the rear garden as well as an outbuilding.
CHARACTER OF LOCALITY	The site is located on a set back portion of land alongside a Class B road. It is part of a group of two-storey terraced dwellings. A number of these dwellings have either been extended to the rear or had large outbuildings/garages positioned in the rear garden, with vehicular access gained from Loxwood.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:
None.
Comments on Consultation responses:
None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to potential impact upon the character and appearance of the surrounding area and the amenities of any neighbouring residents.

The Development Plan consists of the Arun District Local Plan.

It should be noted that the Arun District Local Plan was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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

The proposed extension is to be made to the rear of the existing dwelling. The site backs onto Loxwood and, as such, the proposed extension would become visible within its street scene. It is considered that its appearance would be consistent with established development at nearby properties within the surrounding area where rear extensions and/or large detached buildings are a common feature. A particular observation made is that there is a similarly sized single-storey flat roof extension at the adjacent property, 99 Old Worthing Road. It should also be noted that the modest height of the extension, as well as positioning away from the site boundary and the screening offered by existing site boundary treatment, will mean that, whilst visible within the street scene, it will not appear overly prominent. It is therefore considered that the proposed development would not have a harmful impact upon the character and appearance of the surrounding area.

Although the footprint of the proposed extension is almost equal to that of the dwelling itself, it will occupy less than 50% of the remaining site curtilage and will also be of a modest height due to its single-storey flat roof nature. It is therefore considered that the proposed extension will maintain visual subservience towards the host dwelling, Whilst the flat roof design does not directly compliment any existing features of the host dwelling, it is balanced and uncluttered and it is considered that this will prevent it from overwhelming the existing building or from having an appearance that would compromise the overall form of the host dwelling.

With regards to the amenities of neighbouring residents, the proposed extension will be positioned adjacent to the eastern site boundary and almost the entirety of its eastern elevation will run alongside the flank wall of this neighbouring structure. As a result, the development will be effectively screened so as to have a minimal impact upon that property. The extension is stepped in from the western site boundary and it is considered that this factor, as well as its modest height will prevent it from appearing overbearing towards 95 Old Worthing Road or from causing undue levels of overshadowing. All windows within the extension are to be at ground floor level and any outwards views towards neighbouring property will be interrupted by existing site boundary treatment, so as to prevent them from being intrusive.

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 have 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, no specific mitigation measures are required.

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:-

1:1250 Location Plan;
1:500 Site Plan;
1:250 Roof Plan;
Existing Details 01;
Proposals 02A;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with 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 dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material

considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

5 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.