

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

REF NO: A/90/15/HH

LOCATION: 33 Mill Road Avenue
Angmering

PROPOSAL: Rear single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The addition of a single storey rear extension and alterations to the existing flat roof present on the dwelling.

SITE AREA

Approximately 738 square metres.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site consists of a 2 metre high hedge with the side and rear planting featuring a 1.8 metre high close boarded fence and mature planting.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow with integrated garage. The property is constructed from brown bricks with a tile roof.

CHARACTER OF LOCALITY

The character of the locality is residential in nature and features properties of various designs and styles.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Angmering Parish Council

Considered at Planning, Conservation & Development Committee Meeting 11/08/2015.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2 GEN7 DEV19	Built-up Area Boundary The Form of New Development Extensions to existing residential buildings
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) SD SP2 Built-Up Area Boundary
Angmering Neighbourhood Plan 2014 POLICY HD4		Materials

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Angmering Neighbourhood Plan has been made and policy HD4 is considered relevant to the determination of this application.

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 situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case is policy GEN7.

DESIGN AND VISUAL AMENITY

The application seeks permission for the construction of a single storey rear extension which will extend 3.9 metres from the rear wall of the original dwellinghouse.

The proposed extension will be located no closer to the northern boundary than the existing dwelling and will be 8.6 metres from the southern boundary. The proposed extension will have an eaves height of 2.3 metres and a maximum ridge height of approximately 3.9 metres in height. It is intended for the proposed roof of the extension to also be placed above the existing flat roofed extension located in close proximity to the northern elevation of the property. The addition of this roof is considered to better integrate the existing flat roofed extension with the host dwelling.

The proposal by virtue of its size and location is considered to be subservient to the host dwelling whilst it is intended for the extension to be constructed from materials which will match in appearance and style those used in the construction of the original dwelling house. Therefore, the proposal is considered to be in accordance with policies GEN7 (ii) and DEV19 (i) & (ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed roof alterations will be located approximately 1 metre from the northern boundary and measure 3.9 metres in height. However, given the design of this proposed roof it is not considered to adversely impact upon the residential amenity of the property located to the north of the application site.

The proposed single storey extension due to its location and position is not considered to give rise to any unacceptable adverse impacts due to the presence of the existing rear extension to the north and its location 8.6 metres from the southern boundary.

Therefore, the proposal is considered to be in accordance with policies GEN7 (ii) and DEV19 (iii) of the Arun District Local Plan.

SUMMARY

Given the above it is recommended that planning permission is granted for the proposed development subject to the below 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 a neutral impact has 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).

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: Existing Floor Plans, Elevations, Roof Plan & Location - 15001/01; and Proposed Floor Plans, Elevations, Roof Plans & Block - 15001/02R3

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 and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

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.