

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

REF NO: A/92/17/HH

LOCATION: The Bungalow
Dappers Lane
Angmering

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of a single storey rear extension. The proposed extension will measure approximately 5.5m in depth, 5.75m in width, with an eaves height of 2.75m and a maximum ridge height of 3.75m.

SITE AREA

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site consists of mature planting with the rear and side boundaries of the site consisting predominantly of close boarded fencing to approximately 1.8m in height.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow constructed from brick and tile with an attached garage.

CHARACTER OF LOCALITY

The character of the locality is semi-rural and features properties of various design and styles.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Angmering Parish Council

Considered at the Housing, Transport and Planning Committee Meeting, 05/06/2017. Comment that the materials used for the proposed works should match the existing structure.

Comments on Representations received:

Comments noted. Materials are specified on 'DRW NO 5 - Proposed Elevations' and these are considered to be acceptable and in keeping with character of the host dwelling.

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: DEV19
GEN2
GEN7

Publication Version of the Local
 Plan (October 2014):

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

D DM1 Aspects of Form and Design
 Quality
 D DM4 Extensions and Alterations to
 Existing Buildings (residential and non-
 residential)
 D SP1 Design
 SD SP2 Built-Up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY
 HD1

Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY
 HD4

Materials

Angmering Neighbourhood Plan 2014 POLICY
 HD5

Built Form

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. 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).

The Angmering Neighbourhood Plan has been made and policies HD1, HD4 and HD5 are 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 application site is situated within the built area boundary where the principle of development is considered acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Local Plan; Policies HD1, HD4 and HD5 of the Angmering Neighbourhood Plan; and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed extension will be situated to the rear of the existing dwelling and as such will not be visible within the street scene. Therefore, it is considered that the proposed extension will not have any unacceptably adverse impact upon the established spatial pattern and character of the street scene.

The proposed extension by virtue of its size and location is considered to appear well integrated and subservient to the host dwelling in accordance with policy DEV19(i) and (ii) of the Arun District Local Plan. It is considered that by virtue of its design and the materials proposed that the extension will not adversely impact upon the established character of the host dwelling in accordance with policy GEN7(iv) of the Arun District Local Plan.

It must also be considered that the proposed extension by virtue of its size could benefit from permitted development rights for larger homes extensions under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015.

RESIDENTIAL AMENITY

The proposed extension by virtue of its single storey construction and height is not considered to give rise to any unacceptable adverse overbearing, overshadowing or overlooking impacts upon the residential amenity of neighbours in accordance with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policy and as such 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 no impacts have been identified upon any 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 - DRW NO 8
- Block Plan - DRW NO 7
- Proposed Elevations - DRW NO 5
- Proposed Ground Floor Plan - DRW NO 2
- Proposed Section - DWG NO 6
- Proposed Roof Plan - DWG NO3

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 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.