

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

REF NO: CM/32/14/HH

LOCATION: Redcot
Climping Street
Cllimping

PROPOSAL: Rear extension & loft conversion (resubmission of CM/7/14/HH)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The rear extension measures at its maximum approximately 9.5m in length, approximately 8.5m in depth and approximately 5.7m in height. Materials to match existing.
SITE AREA	Approximately 700 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To front, hedging and trees at over 2m in height. At the rear, close boarded fencing at approximately 1.8m in height.
SITE CHARACTERISTICS	The site comprises a residential property which is a detached bungalow with rough rendered elevations and a hipped roof with plain brown roof tiles. A double garage and detached wooden outbuilding are situated to side (south). A public footpath runs alongside the site to the south.
CHARACTER OF LOCALITY	Predominantly residential in character within a semi-rural setting. There are two storey semi-detached properties in Langmead Close to the west and more sporadically spaced properties further along Climping Street.

RELEVANT SITE HISTORY

CM/7/14/HH	Rear extension and loft conversion.	Refused 18-06-2014
------------	-------------------------------------	-----------------------

REPRESENTATIONS

Representations received:

Climping Parish Council

Unable to comment on this application.

Comments on Representations received:

Noted.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

No objection.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:
Outside the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

[GEN3](#)

[GEN7](#)

[DEV19](#)

Protection of the Countryside

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)

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: Arundel; Barnham & Eastergate; Felpham.

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 conflict with policy DEV19(ii) which requires visual subservience but is considered to be materially outweighed and comply in all other regards 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 located outside the built up area boundary where the principle of new development is unacceptable. In such locations, extensions and alterations to residential buildings will not be permitted, unless the proposal complies with policies DEV19 and GEN7.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a single storey rear extension on a detached bungalow. This application forms a resubmission of previously refused planning application CM/7/14/HH and principally differs by now severing the link with the detached garage and no longer incorporating a side (east) dormer.

The rear extension forms a significant design improvement on previous planning application

CM/7/14/HH by now extending back from the rear wall of the property rather than incorporating the garage as well. The proposed rear extension measures at its maximum 8.5m in length and at its northern extent at approximately 6.5m in length. It should be borne in mind that under Permitted Development, a rear extension can be built up to 4m in length and under Extended Permitted Development rights with neighbour notification up to 8m in length without the need for a planning application.

In its footprint and dimensions, it is accepted that the extension is not visually subservient to the host dwelling which is a compact form of a dwelling. However, the conflict with policy DEV19(ii) is materially outweighed by the fact that the extension maintains existing eaves and ridge heights of the property, will be visually integrated by way of matching materials and is situated to the rear where it will not be readily seen in the street scene.

It is therefore considered that the rear extension is acceptable in design terms and complies with policy DEV19(i) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension at single storey in height and with an absence of any windows in the roof is also set acceptably away from any neighbouring property so as to not cause any harmful overbearing, overshadowing, overlooking or loss of privacy.

It is therefore considered acceptable in residential amenity terms and complies with policy DEV19(iii) of the Arun District Local Plan.

It is therefore recommended that the application be 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 private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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: drawing number 1028-01 (Location plan) dated 13-08-2014, 1028-02 (Block plan) dated 13-08-2014, 1028-03 (Site plan as existing) dated 16-02-2014, 1028-04 (Ground floor as existing) dated 16-02-2014, 1028-06 (Elevations as existing) dated 16-02-2014, 1028-07 (Ground floor plan as proposed) dated 13-08-2014, 1028-09 (Elevations as proposed) dated 13-08-2014, 1028-05 (Roof plan as existing) dated 16-02-2014 and 1028-08 (Roof plan as proposed) dated 13-08-2014.

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 rear extension hereby permitted shall match in colour and texture to 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 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.