

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

REF NO: CM/7/14/HH

LOCATION: Redcot
Climping Street
Climping

PROPOSAL: Rear extension and loft conversion.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The extension measures at its maximum 11.5m in length, 10.5m in depth and approximately 5.7m in height. Materials to match existing apart from cladding on the rear gable end.

SITE AREA

Approximately 700 square metres.

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Hedging and trees to the front at over 2m in height. Close boarded fencing forms the main rear boundary treatment and measures approximately 1.8m in height.

SITE CHARACTERISTICS

A detached bungalow with rough rendered elevations and a hipped roof with plain brown roof tiles. There is a flat roof double garage and detached wooden outbuilding to the side (south) of the property. A footpath runs along the southern boundary of the site.

CHARACTER OF LOCALITY

Predominantly residential in character in 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 to the south.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Climping Parish Council
Awaited.

One letter of objection.

*Concerned with doubling the size of the property

*New roof windows looking into front bedrooms of No. 6 Langmead Close

*Loss of daylight and privacy

Comments on Representations received:

Comments noted.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

Comment.

A formal application for any new connection to the foul and surface water sewer is to be made by the applicant or developer.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN3](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections \(February 2014\):](#)

Protection of the Countryside
The Form of New Development
Extensions to existing residential buildings

D DM1 Aspects of Form and Quality
D DM4 Extensions & Alterations to Existing 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 visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise,

Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

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 once the remaining chapters / policies have been published.

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality.

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 relevant policies in the Arun District Local Plan which in this case is considered to be policy DEV19 which refers to residential extensions.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a rear extension and side (east) dormer which will develop a bungalow into a chalet style bungalow. The result will be a ground floor with a combined living/dining/kitchen and bedroom with two bedrooms on the floor above. The

extension will join on to an existing flat roof double garage and extend to approximately the same depth.

The rear extension at 11.5m in length and 10.5m in width will exceed the length and width of the existing property. At the proposed first floor height, the effect will be an extension that fails to achieve visual subservience, in conflict with policy DEV19(ii) of the Arun District Local Plan. The extension will adjoin an existing detached garage and will therefore sprawl outwards to the side as well as to the rear and make the extension appear harmfully bulky and out of scale with the original bungalow.

It is therefore considered that the proposal is unacceptable in visual amenity terms and so conflicts with policies DEV19(i) and (ii) of the Arun District Local Plan and policies D DM1 and D DM4 of the Emerging Local Plan.

RESIDENTIAL AMENITY

The main consideration in residential amenity terms is the effect of the proposed extension on No. 6 Langmead Close to the north. However, there will be approximately 10m separation distance between the proposed extension and this neighbouring property so as to ensure that the extension will not cause any harmful overbearing or overshadowing effects.

There are two small rooflights which are set high in the north-western roofslope which are angled upwards and away from No. 6 and so will not cause any harmful overlooking on to this or any other neighbouring property. The dormer and two small rooflights on the south-eastern roofslope will face on to a public footpath, beyond which there is an absence of immediate development.

The proposal is therefore considered to be acceptable residential amenity terms and so complies with policy DEV19(iii) of the Arun District Local Plan.

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 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

REFUSE

- 1 The rear extension by virtue of its bulky size and design would not be visually subservient to the host property and cause it to be an unsympathetic and harmful addition that would appear out of scale in conflict with policies DEV19(i) and (ii) of the Arun District Local Plan and policies D DM1 and DDM4 of the Emerging Local Plan.
- 2 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.