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

REF NO: **EP/122/16/HH**

LOCATION: 19 Hazelmead Drive
East Preston

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above Proposed single storey rear extension measuring 9.8 m deep, 6m wide and 2.9m high. Materials to match existing.
SITE AREA	Approximately 800 sq.m
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The rear of the site is enclosed by approximately 1.8 metre high timber fencing on north side and a mature hedge between 2 - 2.5m high on south side.
SITE CHARACTERISTICS	The site is occupied by a detached single storey dwelling. The property is set on a spacious plot. There is a conservatory to the rear and also a detached garage which is set back behind the rear elevation of the house on the northern side of the property.
CHARACTER OF LOCALITY	The site is located on a residential road that is characterised by detached dwellings of a variety of designs and scales that are set slightly back from the road with open frontages and on spacious plots.

RELEVANT SITE HISTORY

No relevant planning history.

REPRESENTATIONS

Representations received:
East Preston Parish Council has not commented.

No representations in response to public consultation.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Built up area
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	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) D SP1 Design SD SP2 Built-Up Area Boundary
East Preston Neighbourhood Plan 2014 Policy 1		Housing - General Principles

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	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.

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; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING
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 application site is situated within the built up area and within established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed extension would be sited adjacent to the existing garage and covers approximately 50m of the rear elevation of the existing house. The existing conservatory will be removed to accommodate the proposed extension. The proposed extension would be sited approximately 14.9 m from the rear boundary of the site and 9.4m from the side boundary with No.17 Hazelmead Drive. The extension would be a flat roof contemporary design with large glazed doors

on the rear elevation and also the south elevation facing No.17. The materials would match the existing property.

The proposed extension would provide a garden room , kitchen, study and allow internal alterations to provide a bathroom. The proposed extension is set behind the existing garage, which has a sloping roof, the extension would be approximately 0.5m higher than the lowest part of the garage and 0.1m at the highest part of the garage. The extension is not visible from the street and views from properties on Lavinia Way will be limited due to the garage. The existing boundary treatment would mean views are limited form No.17.

Although the extension is deep approximately 9.8m, given low height approximately 2.9m, the spacious plot and position of the existing detached garage it is considered that the proposed extension is in keeping with the character and appearance of the host property and is not considered unduly dominant on the property. The extension is not visible from the street and is not considered harmful to character of the wider area.

There are no parking implications arising from the proposed development.

The proposed extension would be sited approximately 9.4m from the side boundary with No.17 and although there are side windows facing the boundary the high boundary treatment, around 2m high, and given the low single storey height, it is not considered that the proposed development would be harmful to the outlook and light of this property. With regard to impact on the northern boundary site is adjacent to the rear garden of properties on Lavinia Way and given the extension is substantially screened by the existing garage and the 10m distance to these properties the proposed extension it is not considered that the proposed development would be harmful to the outlook and light of these property.

In summary, the proposed development is not considered to be visually obtrusive or prominent and
would not have an adverse impact on the character and appearance of the host property and the amenity of adjoining occupiers at No.17 Hazelmead Drive and the properties on Lavinia Way. The proposed development is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

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 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 the following impacts have 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).

The proposal would have a neutral impact on the 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 site location plan, 1620/C01 block/site plan, 1620/C02 ground floor as proposed & 1620/C03 elevations as proposed.

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 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.