

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

**REF NO:** PO/2/13/

**LOCATION:** Shepherds Cottage  
231 Poling Street  
Poling

**PROPOSAL:** Demolish rear lobby single storey extension, extend with rear single storey extension and provide a utility room internally. This application affects the setting of the Poling Conservation Area

**SITE AND SURROUNDINGS**

|                             |                                                                                                                                                                                                                                                              |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION  | As above. The rear extension measures approximately 4m in depth, approximately 3.6m in width and approximately 3.8m in height.                                                                                                                               |
| SITE AREA                   | Approximately 350 square metres.                                                                                                                                                                                                                             |
| RESIDENTIAL DEVELOPMENT DEN | N/A                                                                                                                                                                                                                                                          |
| TOPOGRAPHY                  | Predominantly flat                                                                                                                                                                                                                                           |
| TREES                       | None of any significance affected by the proposed development.                                                                                                                                                                                               |
| BOUNDARY TREATMENT          | Open to front. Close boarded fencing and trellis at approximately 2m in height with abundant and dense vegetation commonly exceeding 3m to rear. There is a brick and stone boundary wall at approximately 1.8m set along the northern boundary of the site. |
| SITE CHARACTERISTICS        | A Grade II Listed two storey end of terrace property with smooth rendered elevations painted white. The roof is pitched with brown plain tiles. There is a front porch and a rear extension on the property.                                                 |
| CHARACTER OF LOCALITY       | Predominantly rural in character with residential properties in a ribbon development pattern along Poling Street. Two storey detached and semi-detached properties are close to the application site.                                                        |

**RELEVANT SITE HISTORY**

|           |                                                                                    |                                    |
|-----------|------------------------------------------------------------------------------------|------------------------------------|
| PO/7/88/L | Application for Listed Building Consent to create two new windows and extend porch | ApproveConditionally<br>12-09-1988 |
|-----------|------------------------------------------------------------------------------------|------------------------------------|

**REPRESENTATIONS**

**Representations received:**

Awaited.

**Comments on Representations received:**

None

**CONSULTATIONS**

Conservation Officer

Listed Building Officer

**Consultations responses received:**

Historic Buildings Advisor

No objection.

Whilst the alteration to the first floor window is not particularly sympathetic, the scheme can be largely supported on the basis that the existing addition is of poor quality and this scheme should prove to be an enhancement.

Conservation Area Advisory Committee

No objection.

**Comments on Consultation responses:**

Comments noted.

**POLICY CONTEXT**

Designation applicable to site:

Outside Built Up Area Boundary

Conservation Area

Listed Building Grade II

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan:

[GEN3](#)

[GEN7](#)

[DEV19](#)

[AREA2](#)

Protection of the Countryside

The Form of New Development

Extensions to existing residential buildings

Conservation Areas

**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 214 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 published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to

be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

#### **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 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 the appropriate Local Plan policies.

##### **DESIGN AND VISUAL AMENITY**

This application seeks to erect a rear extension which will replace an existing extension. Therefore, the principle of a structure in this location and attached to the Listed Building has already been established. The proposed extension will have a larger footprint but will be sited to the rear and as such will not be visible from the road. The existing extension does not blend particularly well with the property and as such the proposal will represent a design improvement. The proposal is therefore considered to either preserve or enhance the Conservation Area and so complies with Local Plan policy AREA2.

The proposed extension will have an additional height of approximately 0.3m and an additional width of approximately 2m on the existing extension. These increases are modest and so the extension will remain visually subservient to the host property. The extension is to have a natural slate tiled roof but the external finishes are unspecified other than to be in-keeping with the property. Therefore, a condition will be placed on this permission to request details and samples of such materials before commencement of the development to ensure the best visual integration with the Listed Building.

##### **RESIDENTIAL AMENITY**

The rear extension has been set centrally within the rear elevation and retains adequate separation distances to boundaries. The rear boundaries are particularly well screened with a combination of a stone and brick wall at approximately 1.8m along the northern boundary and close boarded fencing to the south, both supplemented with dense hedging generally over 2m in

height. Such boundary treatment will assist in mitigating any unacceptable adverse impact by way of overlooking, overshadowing, overbearing or loss of privacy. It is therefore considered that the rear extension complies with Local Plan policy DEV19(iii)

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 family and private 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: drawing numbers 2013/02/01 (existing ground floor plan and block plan) dated March 2013, 2013/02/02 (proposed ground floor plan), 2013/02/03 (existing and proposed elevations), 2013/02/04 (existing and proposed roof plans), all dated May 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 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.