

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

REF NO: WA/52/17/HH

LOCATION: Wealden House
7 London Road
Fontwell

PROPOSAL: Two storey side extension & front porch

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks planning permission for the construction of a two storey side extension to the west of the host dwelling, measuring approximately 3m in width, 4.5m in depth, with an eaves height of 5.35m and a maximum ridge height of 7.35m. The application also proposes the construction of a porch forward of the primary elevation measuring approximately 2m in width, 2m in depth, with an eaves height of 2.54m and a maximum ridge height of 3.4m.

SITE AREA

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site consists of a 1.5m high picket fence with the side and rear boundaries consisting of close boarded fencing measuring approximately 2m in height.

SITE CHARACTERISTICS

The site is a corner plot occupied by a detached two storey dwelling constructed from brick with a tiled roof and mature planting.

CHARACTER OF LOCALITY

The character of the immediate locality is predominantly residential and features detached and semi-detached properties of various designs and styles in medium/large plots.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Walberton Parish Council

No objections are raised in respect of this application.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

Consultations responses received:

None.

Comments on Consultation responses:

None received.

POLICY CONTEXT

Designation applicable to site:
Within built up 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

[Walberton Neighbourhood Plan Policy 2017 HP1](#)
[Walberton Neighbourhood Plan Policy 2017 HP13](#)

Spatial Plan of the Parish
Design Guidance

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 and is 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.

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 has taking place. 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. The examination was completed in September 2017.

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. 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.

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 Walberton Neighbourhood Plan has been made and policies HP1 and HP13 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 up area boundary where the principle of development is acceptable, in accordance with policy GEN2 of the Arun District Local Plan and Policy HP1 of the Walberton Neighbourhood Plan, subject to compliance 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; Policy HP13 of the Walberton Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposed two storey side extension and porch are considered to appear well integrated and subservient to the character of the host dwelling by virtue of their design and location. Therefore, it is considered that the proposed additions will accord with policy DEV19(i) and (ii) of the Arun District Local Plan.

The proposed extensions by virtue of their siting will be visible within the street scene but are not considered to give rise to any unacceptably adverse impacts upon the spatial pattern or character of the area. The proposed alterations are also not deemed to adversely impact upon the character of the host dwelling. Therefore, the proposal is deemed to accord with policy GEN7(ii) of the Arun District Local Plan and policy HP13 of the Walberton Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed porch by virtue of its design and siting is not considered to give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts and as such is deemed to accord with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan,

The proposed two storey side extension will be situated at its closest point approximately 1.15m from the southern boundary of the site. 6 London Road to the south of the site will abut this boundary, despite the proximity of the proposed extension to this property it is considered that it will not give rise to any unacceptably adverse overbearing or overshadowing. The neighbouring property (6 London Road) does not feature any windows at first floor level on the northern elevation and will only feature 2 high level ground floor windows which serve the existing integrated garage.

The proposed extension will feature windows on the primary and rear elevations at first floor level, but it is considered that the rear windows by virtue of the orientation of the proposed extension and the siting of 6 London Road will prevent any unacceptably adverse overlooking of the private amenity space (to the rear of the neighbouring property). Therefore, the proposal will not give rise to any unacceptably adverse overlooking.

As such, the proposal is deemed to accord with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development accords with relevant development plan policy and as such is recommended for approval 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 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:

- Proposed Block Plan - Drawing 3
- Proposed Front and Rear Elevation - Drawing 14
- Proposed Side Elevation - Drawing 15
- Proposed Ground Floor Plan - Drawing 16
- Proposed First Floor Plan - Drawing 17
- Proposed Roof Plan - Drawing 18

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 building 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.