

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** WA/66/17/HH**LOCATION:** Park Cottage
London Road
Fontwell**PROPOSAL:** Ground & first floor rear extensions**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks to create extensions to the ground and first floors of the existing dwelling.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by mature foliage.
SITE CHARACTERISTICS	The site is populated by a two storey dwelling.
CHARACTER OF LOCALITY	The area is populated by a mix of housing styles and types.

RELEVANT SITE HISTORY

WA/41/97	Detached double garage	ApproveConditionally 10-10-1997
WA/99/04/	Change of use of garage (Residential) to stone carver workshop/studio (Commercial)	ApproveConditionally 16-02-2005
WA/16/06/	Change of use of garage to stonecarvers workshop/studio.	ApproveConditionally 27-03-2006
WA/42/11/	Ground floor kitchen extension & 1st floor bedroom extension with internal alterations.	ApproveConditionally 16-06-2011
WA/80/11/	Ground floor bedroom extension	ApproveConditionally 26-10-2011
WA/51/12/	First floor main bedroom extension	ApproveConditionally 27-09-2012
WA/23/15/HH	Garage extension to detached double garage	ApproveConditionally

03-07-2015

WA/94/16/NMA	Application for a non-material amendment following a grant of planning permission WA/23/15/HH relating to changing from pitched roof to flat roof	Approve 15-12-2016
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Noted.

REPRESENTATIONS

Representations received:

Walberton Parish Council

Parish Council - No objection.

No representations from nearby occupiers.

Comments on Representations received:

Noted.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

Consultations responses received:

Southern Water - See online consultation response and subsequent informative.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN2](#)
 [GEN3](#)
 [DEV19](#)
 [GEN7](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
Protection of the Countryside
Extensions to existing residential buildings
The Form of New Development
C SP1 Countryside
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design
Design Guidance

[Walberton Neighbourhood Plan Policy 2017 HP13](#)

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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Walberton Parish has a 'made' neighbourhood plan, and the relevant policies within it have been taken into account.

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 relevant Development Plan policies, specifically DEV19(i) and (ii) of the Arun District Local Plan. However, the proposed development would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the nearby 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 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 outside of the built up area boundary as defined by GEN2 of the Arun District Council Local Plan and HP1 of the Walberton Neighbourhood Development Plan. However, the proposal is for extensions to an existing dwellinghouse and as such the principle of development is acceptable in accordance with GEN3(v) of the Arun District Local Plan subject to the proposal complying with relevant Development Plan Policy. In this case, the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan, and HP13 of the Walberton Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposed extensions by virtue of their location will not be visible in the street scene, therefore the proposed development is not considered to have an unacceptably adverse impact on the established spatial pattern or character of the locality and is therefore in accordance with policy GEN (ii) of the Arun District Local plan and policy HP13 of the Walberton Neighbourhood Plan.

The proposal by virtue of its design is not considered to appear subservient or well integrated with the host dwelling in conflict with policy DEV19 (i) and (ii) of the Arun District Local Plan. However, the proposed development by virtue of its design and the materials used in its construction is not considered to adversely impact upon the character of the host dwelling. It must also be considered that the proposal will be situated to the rear of the host dwelling and the site is well screened to the north, south and west. The proposed extensions will not be visible from any public vantage point and as such the proposed development will not give rise to any adverse harm to the established character of the locality.

The proposal will replace an existing two storey and single storey extensions that are not deemed to be well integrated with the host dwelling or each other and as such result in harm to the character of the host dwelling. The proposed development will see these previous extensions replaced by a scheme which appears unified and as such constitutes an enhancement to the character of the host dwelling. Therefore, the proposed development is deemed to accord with policies DEV19 (i) & (ii) of the Arun District Local Plan and policy HP13 of the Walberton

Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development would be the same height as the existing dwelling and is modest in depth. The proposed development is situated approximately 7.25m from the western boundary, 16m from the northern boundary of the site and 20.5m from the southern boundary of the site.

There are no neighbouring dwellings with the nearest development being a petrol station situated approximately 35.5m from the proposed development. Therefore, it is considered that the proposed development will not give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts.

Therefore, the proposal is deemed to accord with policies GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

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:
- Part Ground Floor Plan - 1409-2
 - Part First Floor plan - 1409-3
 - Part Ground Floor plan - 1409-5
 - Part First Floor plan - 1409-6
 - Proposed Elevations - 1409-7

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 roofs of the development 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: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

- 5 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.