

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

REF NO: AW/101/25/HH

LOCATION: 8 Cherry Close
Aldwick
PO21 3BA

PROPOSAL: Re-submission of AW/299/24/HH - Demolition of the existing porch and detached garage. New rear/side flat roof extension, front porch extension. Conversion of the first floor roof space with new rear dormer. Installation of 2 x side windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AW/299/24/HH	Demolition of the existing porch and detached garage. New rear/side flat roof extension, front porch extension. Conversion of the first floor roof space with new rear dormer. Installation of 2 x side windows.	ApproveConditionally 06-02-25
--------------	--	----------------------------------

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS

SITE HISTORY

Planning permission for the original scheme was sought and approved under application AW/299/24/HH. This application seeks amendments to the scheme, which principally relate to the increase in height of the proposed garage and store, in addition to other minor alterations to fenestration. The fenestration changes include an additional window to the south western elevation at ground floor level, the removal of a window to the store within the rear elevation and the replacement of the single glazed door on the north eastern elevation with a set of patio doors.

DESIGN AND VISUAL AMENITY

The site is a detached bungalow at the end of a cul-de-sac. At ground floor level, the alterations include wraparound rear extension with a replacement garage to the side of the property, and a small porch. The porch would replace an existing porch, increasing the depth in line with the existing front projection. The extension does not extend beyond the current furthest extent of the principal elevation. The porch has a crown roof and will be finished with materials to match those of the existing dwelling.

The rear extension is approx. 4.5m deep and it would extend the rear elevation level with the existing flat roofed projection to the rear of the property. The height of the rear extension element is 3m, matching the height of the existing rear projection. The rear extension will have minimal impact on the character and visual amenity of the property or surrounding area. The attached garage will project from the south western elevation and will be constructed following the demolition of an existing detached garage which is situated to the rear and side of the main dwelling. The width of the side extension is 3m, gradually widening to 3.9m at the rear. The proposed garage will extend an additional 3m beyond the rear elevation of the dwelling to accommodate a store and w/c to the rear. The height of this side extension element is to be increase under the current application, and will match the height of the rear extension, at 3m, where is was previously set down. This alteration will have a minimal impact on the appearance of the dwelling. The side and rear extensions do not unacceptably alter the scale and massing of the building and are acceptable in accordance with policy D DM4 of the Arun Local Plan. The side and rear extensions will be finished with brickwork to match the existing dwelling, helping the addition to integrate in accordance with policy D DM1 of the Arun Local Plan.

The rear dormer is 9.8m wide and adjoins the proposed rear extension. Although there are examples of other rear dormers on the street, the design of the dormer conflicts with the Arun Design Guide, which states that dormers should be minor incidents on the roof plane and incorporate a pitched roof in most cases. There is also partial conflict with policy D DM4 of the Arun Local Plan, as the dormer dominates the original roof form, due its width and height. However, it is noted that a large flat roofed dormer spanning the width of the roof could be achieved under permitted development, without the need for planning permission. Despite the policy conflict, the proposed dormer would not result in demonstrable harm to the character and appearance of the host dwelling so as to justify the refusal of planning permission. The dormer will be finished with cladding. Cladding is not currently present on the dwelling, and houses along Cherry Close tend to be finished with a mixture of brick and render. However, the material will be located to the rear of the dwelling and will not be visible in the street scene.

As part of the current application, there are several alterations to fenestration. This includes as additional window to be added to the south western elevation at ground floor level, the removal of a window to the store of the rear elevation and the replacement of the single glazed door on the north eastern elevation with a set of patio doors. These alterations will not impact the character of visual amenity of the dwelling and are acceptable in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

Although there is partial conflict with Part M of the Arun Design Guide and policy D DM4 of the Arun

Local Plan, overall, the development would not compromise or detract from the character of the property or wider area. The development complies with policy D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed garage would be constructed close to the south western boundary and would measure approx. 3m high. Although the garage will be visible above the boundary treatments, and the height of this element has been increased from the previous application, the height of the new garage is not excessive and will not result in overbearing or overshadowing to the neighbouring property to the south west. The proposed rear extension would not extend beyond the existing single storey rear projection, and as such, the rear extension would not result in any overbearing or overshadowing to neighbouring properties. The ground floor fenestration would have an outlook over the rear garden serving the host dwelling, and would not result in any overlooking. Whilst two windows are proposed within the north eastern flank elevation, given that these windows are sited at ground floor level and the existing boundary treatment, the proposed fenestration would not result in unacceptable overlooking.

The proposed dormer is situated at first floor level. Whilst the roof extension will not give rise to overbearing or overshadowing effects, the dormer introduces fenestration to the rear elevation at first floor level, which previously had no fenestration. Two windows are proposed, one with three casements and one with two, in addition to a Juliet balcony. The proposed windows will result in some increased overlooking of neighbouring properties. However, given that a similar dormer could be installed under permitted development which would offer similar views, the proposed dormer would not result in such harm in terms of overlooking so as to justify the refusal of planning permission in this regard. There is also a substantial distance between the property and the rear boundary, which effectively mitigates overlooking impacts on the property to the rear.

Although there may be some increased overlooking effects, the proposals do not result in unacceptable impacts on neighbouring residential amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application not CIL liable.

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 Plans
- Proposed Ground Floor Plan
- Proposed First Floor Plan
- Proposed Front and Side Elevations
- Proposed Rear and Side Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 The materials and finishes of the external walls of the side extension and porch hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.