

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

REF NO: AW/127/21/HH

LOCATION: 233 Manor Way
Aldwick
PO21 4HT

PROPOSAL: Rear single and two storey extension. (The application may affect the setting of the Aldwick Bay Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
----------------------------	----------

RELEVANT SITE HISTORY

PAA/121/20/	Removal of existing conservatory. Single storey extension along rear of house with first storey extension (above conservatory location) to mirror left hand side of house. Dormer extension to existing gable roof at rear. Glazing feature in existing gable end.	Approve Pre App 16-12-20
AW/108/14/T	Fell 1 No Eucalyptus tree	ApproveConditionally 14-05-14
AW/71/13/TC	Remove 1 no Lawson Cypress and 1 no. Monterey Cypress tree within the Aldwick Bay Conservation Area.	No Objection 17-05-13
AW/64/08/TC	Fell one Leylandii and lop two Bay trees within the Aldwick Bay Conservation Area.	No Objection 18-04-08
AW/21/08/T	Reduce Purple Plum tree by 20%	ApproveConditionally 25-03-08

REPRESENTATIONS

Aldwick Parish Council: No objection

No objection from Aldwick Bay Estate.

No representation from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
2km Buffer for Site of Special Scientific Interest
Pagham Harbour Zone B
Within the Built Up Area Boundary
Tree Preservation Orders

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)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
-------	---------------------------------

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan and the National Planning Policy Framework. Additionally, Aldwick Design Statement of which no policies are of relevance but the proposed is located within Area 1.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The dwelling is a detached 2 storey property in an private estate with properties of varying character. Due to the siting of the extension and use of materials to match the dwelling, it will not have any significant presence in the street scene or in the locality of the dwelling. Although the design of the extension is contrived to reduce the impact on neighbouring residential amenity it does not project above the height of the existing dwelling or project significantly from the rear elevation of the dwelling and by virtue of the design and scale it is considered to be a well integrated and subservient extension to the host dwelling.

As a result of these factors, it is not considered to result in any harmful impact upon the character of the dwelling or its locality. It accords with Part M of the Design Guide in that the form does not overpower the existing or neighbouring properties, integrates with the dwelling and uses materials which match the existing building, responds to existing elevations through the size and positioning of doors and windows and maintains established building lines. The proposal is in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The first floor aspect of the extension will be set in from the site boundaries to comply with adopted guidance in respect of overbearing impacts in relation to neighbouring properties. It provides a gap of 0.975m to one side boundary and 2.7m to the other, but the length of the development adjacent to the boundary is limited in projection. Given the configuration of the design of the extension the proposal is not considered to give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts.

Some of the single storey aspects of the proposal will intersect the 45 degree from the neighbouring due to the depth. Due to the location and size of the plots as well as the separation distances this is not considered to be demonstrable to the application. There will be the addition of windows to the side on the ground floor aspect of the proposal but these look over the garden of the host and due to their single storey nature they do not cause an unacceptable level of overlooking. At the first floor there is one window to the side elevation which is to be a high level window (over 1.7m from the floor level), as such this is considered to mitigate any overlooking onto the neighbouring property.

The Juliet balconies will allow for minor levels of overlooking, however due to their location it is not demonstrable to the application as a window would provide the same level of overlooking from the rear elevation. To ensure the levels of overlooking are not unacceptable the flat roof space created by the single storey aspect will be conditioned not to be used as a balcony.

The proposal is not considered to give rise to significant harm in which a refusal is justified by way of overbearing, overshadowing or overlooking and as such it complies with D DM1 and D DM4 of the Arun Local Plan as well as section M of the Arun Design Guide.

IMPACT ON CONSERVATION AREA

The proposal is in the Craigweil Conservation Area. Given the siting of the extension, it is not visible from the wider area and as such is not considered to give rise to any adverse impacts upon the area. The application form states no trees or hedges will be removed or pruned in order to carry out the proposal. As the property falls within a Conservation Area relevant consents will need to be obtained if there were to be any trees removed. The proposal is considered to preserve the appearance of the Conservation Area and accord with HERDM3 of the Arun Local Plan.

Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage asset is of some significance. Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. The proposal has limited impact on the

significance of the heritage asset as a result of the modest alteration proposed and the use of matching materials. Para 193 states. "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation"

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

As a result of the scale of the works, the proposal is not considered to materially affect the character or from detract from the visual appearance of the Conservation Area and is not considered to harm the significance of the heritage asset.

SUMMARY

The 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

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 is 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:

- Location Plan
- Block Plan
- Existing Ground Floor Plan
- Proposed Ground Floor Plan D
- Existing First Floor Plan
- Proposed First Floor Plan D
- Existing Side and Front
- Proposed Side and Front C
- Existing Side and Rear
- Proposed Side and Rear C

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

- 3 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy D DM1 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.