

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

REF NO: AW/129/18/HH

LOCATION: 20 Aldwick Gardens
Aldwick
PO21 3QT

PROPOSAL: Loft conversion & single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above - hip to gable roof extension, rear dormer window and ground floor extension.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The boundary treatment to the common boundary adjoining property number 22 at the rear of the site is an approximately 1.8m close boarded fence. The boundary treatment to the common boundary adjoining property number 18 is approximately 1.8m high hedging/tree and close boarded fencing with trellis atop.
SITE CHARACTERISTICS	Semi detached 2 storey dwelling.
CHARACTER OF LOCALITY	Residential in character consisting of a mix of dwelling types including detached two storey dwellings, detached chalet bungalows, detached bungalows and semi detached 2 storey dwellings.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council
Object to this application:

Members strongly opposed the application on the grounds that the proposed conversion and extension does not sympathetically relate to and is not visually integrated with the existing building in siting, design, form, scale and materials. Therefore Members agreed that the application is in direct conflict with Policy Dev 19 (i) of the Arun District Local Plan 2003

2 letters of Objection have been received the content of which is summarised as follows:

The proposed loft conversion will effectively make it a 3 storey building.

The proposed new roof is completely out of character to the type of roof that exists on properties in this road, namely pitched.

The proposal would tower over our home and garden, invading our privacy and also restricting sunlight at times of the year.

The proposed new ground floor extension will extend out to the border of our property.

Noise inside their house will be exacerbated as a result of the proposed folding doors.

footprint of what should be a semi - detached house will be hugely increased.

The proposal completely changes the symmetry of the frontage particularly the roof pitch.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted - See Summary section below for Officer comments.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

2km buffer zone for SSSI - Bognor Reef

Pagham Harbour Access Management Zone B

Built up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

As such, there is no Neighbourhood Plan for Aldwick - however there is an Aldwick Village Design Guide which has been taken in to 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 policy D DM4 criterion b. of the Arun Local Plan 2011 - 2031, with regard to the proposed hip to gable element not being considered to be visually subservient to the main building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as the proposed development will give rise to no unacceptably adverse impacts upon the visual amenities of the locality or the residential amenity of neighbouring properties as a result of not being visually subservient to the main building. Additionally, it is considered that the proposal as a whole would sympathetically relate to and would visually integrate with the existing building in siting, design, form and materials and not cause demonstrable harm to the street scene of the wider character of the area.

CONCLUSIONS

PROPOSAL

This application seeks planning permission for a loft conversion including a hip to gable enlargement and a single storey side extension.

The principle of development is acceptable within the built up area boundary in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 subject to consideration against relevant development plan

policies. The key Policy considerations in the determination of this application are deemed to be D DM1 and D DM4 of the Arun Local Plan 2011-2031.

DESIGN AND VISUAL AMENITY

Objection has been raised by the Parish Council who strongly opposed the application on the grounds that the proposed conversion and extension does not sympathetically relate to and is not visually integrated with the existing building in siting, design, form, scale and materials in direct conflict with Policy Dev 19 (i) of the Arun District Local Plan 2003.

The Arun District Local Plan 2003 no longer applies and is replaced by the Arun Local Plan 2011- 2031. Therefore the aforementioned Policy Dev 19 (i) of the Arun District Local Plan 2003, forming the policy basis for the Parish Council's objection, is no longer applicable. Criterion (i) of this policy sought to ensure that the extension sympathetically relates to and is visually integrated with the existing building in siting, design, form, scale and materials. Officers note that Criterion (a) Policy D DM4 also seeks to ensure that the extension or alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials.

Officers note Policy D DM4 of the Arun Local Plan 2011 - 2031 in which criterion b. which states that: 'the extension is visually subservient to the main dwelling.' The proposed rear extension and roof alterations would lead to the creation of a larger property with regard to its size, scale, massing and bulk. From an assessment of the plans Officers note that while the proposed wraparound side extension would be subservient, by nature of it being single storey, the proposed hip to gable element would not be considered to be subservient. However, the existing house has an approximate height of 8.8 metres and the hip to gable element would not raise the ridge height any higher than existing. Officers note that hip to gable enlargements of this form are a common way of increasing the amount of roof space when carrying out loft conversions.

A hip to gable enlargement was granted further down the road at number 28 under AW/80/90. This previous application also included 2 rooflights into the front roof slope. The current application also proposes rooflights into the front roof slope. While this application proposes 3 rather than 2 they are considered to be acceptable as they would not have a detrimental impact on the street scene.

The applicant has detailed the proposed external materials that are to be used for the walls of the proposal are render to match. Having regard to the plans it is considered that the proposed single storey extension would be of appropriate materials as they would link in with the existing flat roofed extension at the rear. No details of the external materials to be used in the proposed dormer window have been provided. From an assessment of the plans it would appear as if cladding is to be used. Therefore a condition requiring details of the external materials of the dormer window to be submitted to and agreed by the LPA prior to works commencing would be applied to any grant of permission.

Objection has been raised with regard to the footprint of what should be a semi - detached house being hugely increased. Officers note the footprint of the dwelling would be increase over that existing but consider that the increase would be minimal, given that there is currently already a rear extension and a side attached garage. Therefore given the size and scale of the proposals, Officers consider that the proposal would not lead to a form of development which would be of a size and scale that would warrant refusal. Permitted development rights apply which allow certain extensions to the property.

Objection has also been raised that the proposal would completely change the symmetry of the proposal of the frontage particularly the roof pitch. While Officers consider that the proposed hip to gable enlargement would not be visually subservient and would not comply with criterion b. of D DM4 of the Arun Local Plan 2011 - 2031 the proposal as a whole is considered to sympathetically relate to and

would visually integrate with the existing building in siting, design, form and materials. Therefore, it is considered that the proposal would comply with criterion a.of policy D DM4 of the Arun Local Plan 2011 - 2031.

Having regard to the submitted plans and the Officer site visit it is considered that the proposal would not have a detrimental impact on the street scene and the wider area.

The proposed extension is considered to accord with Policies D DM1 and D DM4 of the Arun Local Plan 2011 - 2031.

RESIDENTIAL AMENITY

3 rooflights are proposed into the front roofslope which would have views out toward the highway and over neighbouring front gardens, areas that are already significantly overlooked.

Objection has been raised whereby it is considered that:

'the proposal would tower over our home and garden, invading our privacy and also restricting sunlight at times of the year.'

With regard to overlooking of adjoining property numbers 18 and 22 from the proposed dormer window it is noted that when the 45 degree rule is applied some materially harmful overlooking to the primary amenity space would occur. However, from an assessment of the plans and the Officer's site visit it is noted that the level of overlooking that would occur from the proposed dormer window would be the same as the level of overlooking already available from the rear first floor windows.

Due to the existing screening, Officers do not consider that the folding doors and set of French doors in the rear of the single storey elements would lead to any detrimental levels of overlooking.

The rear elevation of the dwelling is set over 50.0 metres from the rear of the properties to the rear and as such it is considered that there would be no detrimental overlooking as a result of the proposals to the occupiers of the properties to the rear of the site.

Therefore, Officers consider that the proposal would not lead to a detrimental level of overlooking which would reduce the privacy of the occupiers of adjoining properties such as to warrant refusal.

With regard to loss or restriction of sunlight as a result of the proposal, having regard to the orientation of the site and the size and scale of the proposed roof alterations it is considered that it would not lead to a detrimental loss of light/sunlight such as to warrant refusal.

Objection has also been raised that the proposed new ground floor extension will extend out to the border of our property. Officers note that the existing garage already comes within close proximity to the common boundary of adjoining property number 22. Officers are aware that the L-shaped side would include an additional portion which would lead to the proposed side extension wrapping around the property to the rear. However having regard to the height of the existing garage at approximately 2.5 metres in height, the proposed side extension would only have an increase in height 0.3 of a metre to a total of 2.8 metres in height. It is noted that there is an approximately 1.8 metre high closed boarded fence along the common boundary of number 22. Therefore it is considered that the proximity of the proposed side and rear extension, being 0.2 metres of the boundary would not have a detrimental impact on the occupiers of adjoining properties, in particular number 22, with regard to overbearing effect, overshadowing and loss of light/sunlight.

Objection has also been raised that noise issues will be exacerbated as a result of the proposed folding and French doors in the rear elevation of the single storey elements. Officers note the position of the proposed folding doors and that they would serve an open-plan kitchen diner, however it is not considered that bringing the habitable space closer to adjoining property number 22 would lead to an unacceptable relationship which would lead to an unacceptable level of noise. Matters regarding unacceptable levels of noise would be a separate matter under environmental health legislation.

As such, it is considered that the proposed development would not have a detrimental impact on the residential amenity of the occupiers of neighbouring properties with regard to overlooking, overbearing effect, overshadowing and loss of light/sunlight.

The proposed extension is considered to accord with policies D DM1 and D DM4 criterion 3. of the Arun Local Plan 2011 - 2031

PARKING AND HIGHWAY SAFETY

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted the SPG - Parking Standards Arun District 2000. Development proposals should comply with the appropriate guidance as set out within these documents.

Currently there is space for the parking of 2 cars in front of the existing garage and garage parking. With no on road parking restrictions. The applicant has confirmed on the submitted application form that the proposed works would not affect the existing parking arrangements.

West Sussex County Council guidance on parking provision requires 2 parking spaces to be provided. Officers consider that 2 parking spaces can adequately be provided as a result of the proposal. The same access to the front of the site would be utilised.

Therefore, it is considered that the proposal would not have a detrimental impact on parking and highway safety.

As such, it is considered that the proposal would comply with Policy T SP1 of the Arun District Local Plan 2031.

TREES:

According to the Council's mapping the application site falls within the Bognor No 2 TPO. However from an assessment of the site visit and an assessment of the plans no TPO trees or trees of any significance would be affected by the proposals.

SUMMARY:

It is recommended that, having regard to the above assessment, the planning application is granted.

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:

01, 02 and 03

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policies D DM1 and D DM4 of the Arun District Local Plan 2011 - 2031.

- 3 No development shall commence until full details of the external materials to be used in the dormer window hereby granted have been submitted to and agreed by the local planning authority.

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