

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

REF NO: AW/129/22/HH

LOCATION: 13 Gossamer Lane
Aldwick
PO21 3AT

PROPOSAL: Single storey side/rear extension following the demolition of existing detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey side and rear extension, following the demolition of an existing garage.

RELEVANT SITE HISTORY

AW/75/19/HH	Rear single storey extension	ApproveConditionally 29-04-19
AW/248/18/HH	Front two storey extension	Refused 20-12-18

REPRESENTATIONS

Aldwick Parish Council - No Objection.

One Objection from nearby occupiers:

- No objection to the general development but has concerns similar to those of the proposal in 2019.
- The roof of the current garage can be clearly seen from one of their back windows, and this is approximately where one of the proposed rooflights would be sited.
- Worries this could cause a mutual loss of privacy.
- This rooflight is one of seven so believes that removing it would not compromise the overall design.
- The figure for the clearance from their boundary is not clear on the block plan as it is shown as 03. Would like this to be made clear to as concerned there will not be enough clearance for guttering.
- The existing garage provides a de facto part of the boarder between the two properties, the rest being made up of bushes and fences. They would like to know what measures will be taken while this garage is demolished to maintain their security.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Tree Officer - No Response

POLICY CONTEXT

Built Up Area Boundary

TPO

Pagham Harbour Zone B

2km Buffer for Site of Special Interest

CIL Charging Zone 4

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**BACKGROUND**

An application for a side and rear extension was granted in 2019 under AW/75/19/HH. This application proposes the same development as the previously approved application.

PRINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan, and additional guidance outlined in the Arun Design Guide.

Aldwick does not have a 'made' Neighbourhood Plan but does have a Parish Design Statement. The property is located within Area 6 (Gossamer Lane).

DESIGN AND VISUAL AMENITY

The proposal is situated to the side and rear of the property and will be partially visible from the wider area.

There is currently a detached garage which runs along the western boundary with a depth of 5.4m. The proposal seeks to replace the garage with a larger structure and increase the depth so that it joins with the rear of the host dwelling. It will project 12.193m with a width of 5.097m, and will have a gable roof, similar in design and pitch to that of the host dwelling. This will integrate well with the design of the existing and will have minimal impact on the visual appearance and character of the property. Whilst a large development, it is not unduly dominant on the existing dwelling and is acceptable. It is primarily

situated to the rear, however, will be partially visible from the street scene to the front. This visibility will not be significant, given the retained distance of around 17m, and will have minimal harm on the composition and appearance of the street scene.

The proposal appears subservient to the dwelling and is well integrated. It will use materials matching the existing, ensuring there is minimal intrusion on the visual appearance of the property. This is in accord with Aldwick Design Statement.

The Arun Design Guide states side extensions should take care to not disrupt the existing composition of the street in terms of rhythm or building line, respond to existing building design in terms of roof pitch and use complementary and integrated materials and elevational design. As for rear extensions, schemes should exploit opportunities for innovative and contemporary design where appropriate. The proposal is in accord with this.

Although a large development, the proposal is not unduly obtrusive and will have insignificant impact on the composition of the street scene, remaining in keeping with the character of the area. It will have no adverse impact on visual amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, Aldwick Design Statement and Arun Design Guide.

RESIDENTIAL AMENITY

The existing garage runs along the western boundary and extends around 5.5m beyond that of the neighbouring rear elevation. The replacement garage will be sited in the same position and retain the existing separation to the western boundary. It will be single storey and have a similar style gable roof to the garage, but of an increased in height from approximately 3.9 to 4.8m. Eaves will remain as existing. It will retain 0.3m from the west boundary, 9.45m from the east and 15.96m from the south. This is in accord with D DM4 and will not result in adverse overbearing or overshadowing.

The Council have adopted a 45-degree rule as a tool to balance the interest of those persons wishing to extend their premises and their neighbours by ensuring that extensions do not seriously impact upon neighbours outlook or daylight. Whilst the garage would intersect the 45-degree angle, the structure located is in the same position as the existing garage and whilst the height does increase slightly it cannot be argued that any overbearing or overshadowing would be significant than compared to that which is already exists and in which a refusal would be justified.

There are no windows to the western elevation, and as such there will be no overlooking of the neighbouring property to the west. There will be two windows and doors installed to the east elevation, however given the 9m distance to the eastern boundary these features will not result in adverse overlooking and will have minimal harm on residential amenity. There will also be a single window to the south elevation, of which poses no risk of overlooking and is acceptable.

There will be seven roof lights to the garage extension with four facing towards the neighbouring property at No. 15. This has raised concern over loss of mutual privacy, however due to their height and position above the finished floor level, the impact caused by these rooflights will be minimal and any views of No.15 from them will be limited. As such they are not of significant enough harm to warrant refusal. The remaining three will face to the east and pose no risk of harm to residential amenity.

Part M of the Arun Design Guide states that extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows. The proposal is in accord with these criteria and is respectful to the privacy and amenity of neighbouring properties.

Whilst large, the proposal will not result in adverse harm to neighbouring amenity by way of overbearing,

overshadowing, or overlooking and is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Arun Design Guide.

DRAINAGE

Concern regarding drainage and guttering has been raised due to the limited clearance between the western elevation and neighbouring boundary. The section shown on the proposed plans shows the guttering will project around 0.1m from the edge of the eaves. This leaves sufficient clearance between the gutter and neighbouring boundary and should not result in an extension over into the neighbouring property. The plans also show rainwater pickups to the southern end of the east and west elevations, which will drain the water to a soakaway to the south of the extension. This is acceptable.

SUMMARY

The proposed development accords with 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

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:

- The Location Plan 19/15/6
- Block Plan 19/15/5
- Proposed Plans and Elevations 19/15/3

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 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.