

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

REF NO: AW/132/22/HH

LOCATION: 6 The Pound
Aldwick
PO21 3SS

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a single storey rear extension.
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REPRESENTATIONS

Aldwick Parish Council - No Objection

1 No Objection received from a nearby occupier:

- Their property was built as a linked property with an external wall located within the applicants rear garden.
- The applicant wishes to build within 10cm of this wall therefore any repairs that may be needed to the wall or corner of the roof will not be able to be done.
- Concern that the construction of new foundations may cause damage to theirs.
- Concern surplus water from the applicants roof may cause this wall to become damp.
- Feels the development will devalue their property.

Officers notes:

- Letter of no objection appears to actually be an objection to the proposed development.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built Up Area Boundary
TPO
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific 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**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan, and guidance set by the Arun Design Guide.

Aldwick does not have a 'made' Neighbourhood Development Plan but does have a Parish Design Statement which is relevant. The property is in area 10 (Chawkmare Coppice).

DESIGN AND VISUAL AMENITY

The proposal is situated to the rear of the property and will not be visible from the wider area.

The extension is a modest size, projecting from the rear elevation approximately 3.95m and almost retaining the full width of the rear at around 5.12m wide. It will have a flat roof, which although differing to the gable roof of the host dwelling, will not appear unduly out of place. The extension will integrate closely with the existing, being in keeping with the character of the property, and will have minimal harm on its visual appearance. Being to the rear, it will not be visible from the street scene, and will have no impact on the composition or appearance of the street. It is in keeping with the character of the area and will have minimal harm on visual amenity.

The proposal appears subservient to the dwelling and is well integrated. It will use materials primarily matching the existing, with exception of the felt roof. This will ensure there is minimal intrusion on the visual appearance of the property. It is appropriate in terms of scale and massing and will not unduly obtrude or dominate the host dwelling. This is in accord with Aldwick Design Statement.

Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. This proposal complies with this.

The development will have no adverse impact on visual amenity or the character of the area 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 extension will be single storey and have a flat roof measuring approximately 2.75m high. This roof will include a roof lantern, which will protrude slight above, at a height of around 3.3m. Given its location on the roof, this lantern will have little harm on residential amenity, and will not result in adverse overbearing or overshadowing. The proposal itself retains 0m to the northeast boundary, 15.5m to the southeast, and 0.1m to the southwest. These distances are in accord with D DM4 and are acceptable.

Being a terraced property, neighbouring properties No.5 and No.7 are both at risk of some impact from the proposal. No.7 is at greatest risk, given how far the extension will project from the rear elevation and

its conflict with the 45 and 60 degree lines. There will be an increase in the overbearing and overshadowing of this property. However, a large portion of this property is already shadowed by No.6, due to the staggered nature of the properties, and as such this increase in overshadowing will not be detrimentally harmful to their amenity. It will have an impact on No.7, but this is not of a significant enough level to warrant refusal. There will be no overbearing or overshadowing of No.5 however, as the extension will project to line up with their rear elevation.

In addition to the roof lantern, the proposal will feature folding doors and a window to the southeast elevation. These features will face into the rear garden and will not directly overlook any neighbouring properties. They will have no harm on residential privacy or amenity and are acceptable.

Concern has been raised regarding the party wall which sits on the boundary with No.5 and No.6. Issues regarding maintenance of this wall will need to be discussed between the two neighbours as this falls under the Party Wall Act 1996 and is a matter for Building Control.

Arun Design Guide states that extensions should not negatively impact, and instead 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 this.

The development will not be unduly harmful to residential amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Arun Design Guide.

SUMMARY

The proposed development is in accord with the relevant development plan policies and as such 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:
 - Location and Block Plans, Proposed Floor Plans and Elevations Sheet 1
 - Supplementary Plan showing 45 and 60 degree lines
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.