Report of the meeting of the Development Control Post-Committee Site Inspection Panel held on 13-08-2019

REF NO: AW/134/19/HH

LOCATION: 33 Balliol Close
Aldwick

PROPOSAL: Single storey side and rear extension with habitable roofspace and conversion of existing roofspace to habitable use, together with porch removal and replacement windows.

Post Committee Site Inspection Panel

Tuesday 13th August 2019 at 9:30 A.M.

Present: Councillor Bower, Councillor Mrs Pendleton, Councillor Coster and Aldwick Parish Council representative.

Apologies: Councillor Charles, Councillor Dixon.

Following a discussion about the proposal on the site and from the front of the property the three Councillors present voted that they thought the application should be refused due to the overbearing and unneighbourly rear projecting element of the proposed extension which was also considered to be not in keeping with the locality.

REPORT UPDATE

Application No: AW/134/19/HH

Reason for the Update / Changes

Reason for Update/Changes:

Additional objection received from Cllr Tony Dixon (Ward member for Aldwick West)

- If approved, it would set a design precedent that is out of keeping with the wider estate which could be used as a precedent for similar properties in less discrete locations.

Members should note that the objection received from Aldwick Parish Council also includes " The application is in direct conflict with policy D DM4 b and c of the Arun Local Plan and with the Parish Design Statement page 71".

Officers Comment:

Comments noted however none of these points alter the Officers recommendation.

Reason for Update/Changes 3.9.19 :

Following the post committee site visit revised plans were submitted. The main changes are
- Depth reduced by 1m.
- Dormer reduced by 1.5m.
- Roof altered to the rear to form a barn hip end.

1 additional objection received from a nearby occupier.

Officers Comment:

Revised Plans are considered acceptable. Comments noted however no additional points raised that have not already been addressed within the report and none of these points alter the Officers recommendation.

Reason for Update/Changes 4.10.19:

The application was re-advertised due to the amended plans that were received.

Aldwick Parish Council retained their objection and provided further comments.
- It did not reflect the characteristics of the site, layout, character, material finish and architectural details.
- Varied significantly from nearby properties.
- Contravenes Local Plan policy DSP1 and the Parish Design Statement.

16 additional representations were received from 15 nearby occupiers including West Meads Resident Association.

7 for support from 6 nearby occupiers.
- The application will not hinder anyone.
- No apparent impact from the road side.
- There are similar developments on the estate.
- Visual impact is minimal.
- Other bungalows have converted into their roof space.
- Development is for extension and living accommodation in roof space, not a two storey extension.

2 of no objection from 2 nearby occupiers
- Many have been developed, why not this one?
- The conversion is aesthetic to the local environment.

7 objection from 7 nearby occupiers.
- The development will hugely impact neighbouring bungalows and privacy.
- It would spoil the estate.
- It will overlook gardens and reduce light.
- We fear the property will be split into 2 and will be an eyesore.
- It will look out of place.
- Vast overdevelopment of the site.
- It will set a precedent.
- Changes proposed are minor.

Officers Comment:

Comments noted however no additional points raised that have not already been addressed within the report and none of these points alter the Officers recommendation. Each application is decided on their own merits.

The consultation date ends on the 10th October and therefore the application cannot be issued until this date. As a result it is requested the decision is made under delegated powers by the Head of Planning in consultation with the Chair and Vice Chair.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: AW/134/19/HH

LOCATION: 33 Balliol Close
Aldwick
PO21 5QE

PROPOSAL: Single storey side and rear extension with habitable roofspace and conversion of existing roofspace to habitable use, together with porch removal and replacement windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — The application seeks to construct a single storey side and rear extension with habitable roof space. The existing porch is also to be removed and windows will be replaced.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Object.
- Not visually subservient.
- Adverse overshadowing and overbearing impact on neighbouring properties.

2 letters of objection received from nearby occupiers.

- The application states single storey however it is for two storey.
- Not in keeping with surrounding properties.
- The development affects the selling and value of property.
- It does not comply with policy DSP1.
- Oppressive and overbearing effect on property.
- Overshadowing and loss of sunlight.

Comments noted and addressed in the conclusion. Property value is not a material consideration.

CONSULTATIONS

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - Due to scale/location of the development there are no conditions to request.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10 Aldwick Parish Design Statement

CONCLUSIONS

This application appears before this committee as a result of a Ward Member call-in.

As stated in SD SP2 the key policies considered are D DM1 and D DM4 of the Arun Local Plan.

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.

Aldwick does not have a Neighbourhood Plan but does have a Parish Design Statement with the property located within Area 15.

DESIGN AND VISUAL AMENITY

The proposal seeks extensions to the side and rear and part of the proposal is visible in the wider street scene. Surrounding properties are of a similar style and design consisting of single storey properties with large open plan front gardens.

The extension adds 4m to the north west of the dwelling and approximately 7.6m to the north east. The additional footprint is not subservient and conflicts with DDM4 (b) of the Arun Local Plan. The extension is not considered to result in the dwelling appearing out of character with the area due to it appearing well integrated with the host dwelling owing to the design and scale, with the proposal matching the existing ridge/eaves height. The siting of the proposal to the rear corner of a cul de sac reduces its visual impact on the street scene.

To the front elevation is white cladding which will be replaced with grey cladding positioned below the windows. Whilst grey cladding is not common with the vicinity it does not result in adverse impact on the appearance of the dwelling in the street scene. Windows to the front will be replaced with dark grey frames, with these evident within the vicinity.

Whilst the proposal adds bulk to the dwelling, it does not appear as an overdevelopment on the site with sufficient space retained to all boundaries and is an acceptable addition to the host dwelling.

By virtue of the design and scale, the development does not adversely impact upon the spatial pattern or character of the area and accord with DDM1 and DDM4 (a) and (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension to the rear will have a depth of approximately 7.6m and a width of 8.4m. The roof will have a gable end to meet with the ridge and eaves of the host dwelling with a dormer running along the north west.

The proposed development is relatively large but does not appear as overbearing or give rise to overshadowing on the property to the rear. The separation between the properties with 15m to the rear elevation of No.7 Downing Close.

The roof extension to the north west forms a bedroom with a juliet balcony at first floor level. Whilst this has views over the neighbouring garden (No.31) it is not considered overlooking would be significant with no direct views into the property and a sufficient distance retained to the boundary at around 11m. These views are also oblique, are not to the property itself and would only impact on a relatively small area of rear garden at a distance of at least 11m. There is a dressing room window which is closer to the boundary and this will be obscure glazed via a condition in order to retain residential amenity. Boundary treatment consist a brick wall to the south west and fencing as it extends north with substantial planting also in place.

There will be velux windows installed on the south-west and south-east elevations. However, due to the height above ground floor level (1.7m), they are not considered to give rise to adverse overlooking. The proposed development also creates new openings to the north west and south east however with these situated at ground floor level they do not provide any views that are currently unavailable from the garden of the host dwelling.

The proposal retains sufficient space to boundaries and is considered acceptable as it does not give rise to any significant impacts upon occupiers of neighbouring dwellings. The proposal accords with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY
The proposed development is deemed to accord with the relevant development 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.

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;

- Proposed Elevations - 06
- Proposed Floor Plans -05
- Proposed Location and Block Plan -04

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

3 The window to the dressing room on the north east elevation shown on the approved plans shall at all times be and remain glazed entirely with obscure glass.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 and D DM4 of the Arun 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.