

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

REF NO: AW/154/26/HH

LOCATION: 7 Regis Avenue
Aldwick
PO21 4HQ

PROPOSAL: Conversion of existing garage, storeroom and adjoining garden room to form ancillary residential annexe.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AW/150/16/HH	Single storey side & rear extensions & alterations to windows & doors on north east & north west elevations.	ApproveConditionally 11-07-16
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REPRESENTATIONS

Aldwick Parish Council - Objection on the grounds of overdevelopment.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within Built-Up Area Boundary
2km Buffer for Site of Special Scientific Interest

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site comprises a detached 1.5-storey dwelling on Regis Avenue. This application seeks planning permission to convert the existing garage, storeroom and garden room into an ancillary residential annexe. It would be finished in materials matching the host dwelling and would be partially visible from the street.

No changes to the overall footprint are proposed. The conversion would provide ancillary accommodation while remaining physically and functionally linked to the host dwelling. The flat roof would be standardised at a height of 2.9m, representing an increase from 2.4m at the front and 2.8m at the rear. The garage door on the front elevation would be bricked up and replaced with a window. Given the minimal increase in height and the 13.7m setback of the annexe from the front elevation of the host dwelling, the alterations would not appear out of keeping with the street scene.

To ensure that the use of the annexe remains ancillary to the host dwelling, a condition is attached to the approval so that the annexe shall not be used as a separate unit of accommodation which could otherwise give rise to an over-intensive use of the site.

The proposed development is in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states that householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, taking into account the positioning of neighbouring buildings and responding to existing elevations through the size and positioning of doors and windows.

The application site has neighbouring properties on either side and to the rear. The footprint of the development would remain the same as the existing structure, while the flat-roof height would increase to 2.9m. Given the limited maximum increase of 0.5m, the extension would not result in overshadowing or overbearing impacts.

No additional openings are proposed. The existing covered walkway would be bricked up and fitted with two high-level windows. The proposed rear fenestration would replace the existing openings and would not introduce materially different views. As such, the proposal would not result in overlooking to neighbouring properties.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with ALP policies D DM1 and D DM4.

PARKING

While the proposal would include the conversion of the existing garage, it is noted that the garage is not of an adequate size to accommodate a vehicle in accordance with the Arun Parking Standards (3m by 6m). The parking spaces to the front would be retained as part of the proposed development. As the garage does not currently contribute to on-site parking provision serving the host dwelling, the proposal would not result in a loss of on-site parking provision and is acceptable in accordance with the Arun Parking Standards.

SUMMARY

The proposed development is in accordance with 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

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
Proposed Floor Plans DWGPS 1018 Sheet 5
Proposed Elevations DWGPS 1018 Sheet 6
Proposed Roof Plans DWGPS 1018 Sheet 7

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 7 Regis Avenue as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.