

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

REF NO: AW/161/18/HH

LOCATION: 31 Queens Fields West
Aldwick
PO21 5SG

PROPOSAL: Single storey extension as annexe for elderly relative (resubmission following AW/208/17/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to erect a single storey extension to the front elevation of the dwelling, to be used as accommodation for an elderly relative.
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RELEVANT SITE HISTORY

AW/208/17/HH	Single storey front extension as annex for elderly relative	Refused 22-09-17
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Parish Council - Objection - The proposed extension does not sympathetically relate to, and is not visually integrated with the existing dwelling.

- Compromise established spatial character and pattern.
- Does not respond positively to the identified characteristics of the local area in terms of enhancing local distinctiveness.

4 letters of objection -

- The proposal is contrary to the open plan garden estate and the Parish Design Statement.
- The proposal would appear out of character with the surrounding area.
- The proposal would get rid of the front garden.
- The proposal is out of character with the host dwelling.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within 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)
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
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CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun District Council Local Plan (2011 - 2031). In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun District Council Local Plan (2011 - 2031). Additionally, the criteria within the Aldwick Parish Design Statement.

DESIGN AND VISUAL AMENITY

The previous planning application AW/208/17/HH was refused. This application differed from the previous application in that it is approximately 0.9m shallower, which increases the distance the proposal is from the road by 1m.

The locality has retained its open plan character, as it features no examples of large front extensions the in surrounding area. It is considered that front gardens are devoid of any significant development. Whilst it is noted that the proposal is of a lesser scale than previously, the extension is considered to be of an unacceptable scale and massing. As a result of the proposals siting at the front of the host dwelling, it is considered that the proposal would appear as a prominent and obtrusive feature in the locality, and therefore, would have cause significant harm to the open plan nature of the area, by failing to reflect or improve its character.

Therefore, the proposed development is considered to be in conflict with D DM1(1), D DM1(2), D DM4(a) and D DM4(b) of the Arun District Council Local Plan (2011-2031). This is due to its siting, scale and massing, and the resultant detrimental impact on the established character of the area and pattern of development. Additionally, the proposal conflicts with the criteria set out in 'Area 15' of the Aldwick Parish Design Statement.

NEIGHBOURING RESIDENTIAL AMENITY

The neighbouring dwelling to the North-Western aspect (1 Merton Close) is the only neighbouring dwelling that has potential to receive direct impact from the extension, as the dwelling to the South East (29 Queens Fields West) is set back in nature, and therefore receives limited views. The extension projects from the front boundary by approximately 4.7m, and is not high enough to cause any significantly detrimental impact on the amenities of neighbouring properties. Resultant of its design, and

a separation distance of over 5m from the closest neighbouring dwelling, the proposal is considered to be in accordance with D DM1(3) and D DM4 (c) of the Arun District Council Local Plan.

SUMMARY

The proposed development is recommended for refusal, as the proposed is in conflict with the Development Plan.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

RECOMMENDATION

REFUSE

- 1 The proposed extension, by virtue of its siting, scale and massing is considered to have significant harm upon the open character of the area and the character and appearance of the host dwelling. Therefore, it is in conflict with policies D DM1 and D DM4 of the Arun District Council Local Plan (2011-2031) and Area 15 of the Aldwick Parish Design Statement.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.