

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

REF NO: AW/163/21/HH

LOCATION: Mortimer House
2 The Fairway
Aldwick
PO21 4EL

PROPOSAL: Erection of single storey rear extension. This application may affect the character and appearance of the Aldwick Bay Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension.
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RELEVANT SITE HISTORY

AW/83/91/T	Fell one macrocarpa, lop or top and shape 2 oaks and 4 field maples	ApproveConditionally 29-07-91
AW/43/91	Change of use of part of ground floor from residential to office use. (First floor to remain residential)	ApproveConditionally 26-06-91
AW/311/20/HH	Single storey rear extension	ApproveConditionally 23-12-20
AW/266/16/HH	Rear dormer with built in balcony. This application affects the character & appearance of the Aldwick Bay Conservation Area.	ApproveConditionally 13-01-17
AW/2/92	Revised design of proposed bungalow following granting of AW/162/91	ApproveConditionally 10-02-92
AW/162/91	Convert existing property into 3 self-contained flats and build 1 detached bungalow in grounds of house closing existing access into Barrack Lane.	ApproveConditionally 16-12-91

AW/243/89

Proposed single storey extension

Refused
29-01-90**REPRESENTATIONS**

Aldwick Parish Council - No Objection.

No representations received from nearby occupiers.

Aldwick Bay Company Limited - No Objection.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Built-Up Area Boundary

Tree Preservation Order

Conservation Area

2km Buffer for Site of Special Scientific Interest

Pagham Harbour Zone B

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:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan. Aldwick does not have a neighbourhood development plan but does have a village design statement.

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.

Policy HER DM3 relates to conservation areas and state that proposals must protect and if possible, enhance the setting of each.

Chapter 16 of the NPPF paragraphs 189, 190, 192,193 and 196 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and the its weight against public benefits of the proposal.

DESIGN AND VISUAL AMENITY

The existing property is a detached two storey dwelling located to south east of The Fairway. It is constructed of brick with a pitched tile roof. There is attached conservatory to rear (south east), garden to rear and driveway to front (north west). The neighbouring properties are 1 The Fairway to east and 2a The Fairway to west. The surrounding area is residential in character and has properties of similar design.

The proposed single storey extension will be sited to rear (south east) principal elevation of dwelling to replace existing conservatory. Due to siting at rear of property, the proposal will not be visible from street scene and will not adversely impact character of surrounding area so complies with policy D DM1 of the Arun Local Plan.

The proposal will have a width of approximately 7.29m and a depth of approximately 4.21m. The height to flat roof will be approximately 2.94m and to top of roof light will be 3.55m. The proposal design visually integrates with existing dwelling and the extension eaves height being at single storey is visually subservient to main dwelling so complies with policy D DM4 of the Arun Local Plan.

The proposed extension will be an orangery so will have numerous windows on top of a brick base. There will be new bi-fold doors sited to the south east elevation of extension facing garden to rear (south east). There will also be one large lantern roof light.

Arun recently adopted a design guide. It states development should be subservient to the main property and this complies in terms of scale and size. However it also states that rear extensions can however have significant impacts on neighbouring amenity in terms of privacy and overshadowing. It states in detached houses, by keeping both single storey extensions within a 45-degree line taken from the edge of the nearest ground and first floor windows of habitable rooms in the neighbouring property. The proposal passes this 45 degrees test so will comply.

The proposed materials will match existing dwelling and consist of walls of face brickwork, flat roof covered with GRP, bi-fold doors and windows to be painted hardwood double glazed units so complies with policy D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal will have a width of approximately 7.29m and a depth of approximately 4.21m. The height to flat roof will be approximately 2.94m and to top of roof light will be 3.55m. Due to there being a gap of around 3.3m remaining to west side boundary and extension being at single storey there is no adverse harm to overbearing or overshadowing effects to neighbouring properties to number 2a to west. Whilst the number of windows in proposed extension may increase risk of overlooking, the location of existing boundary fence to west and being at single storey reduces impact of overlooking to neighbouring property to west so is acceptable.

The bi-fold doors will not increase risk to overlooking to neighbouring properties to south east due to large gap of around 16m remaining to south eastern boundary and location of boundary fence restricts views to south east.

Due to there being gap of 5.04m remaining to east side boundary there and large distance to neighbouring property number 1 The Fairway to east there is no adverse harm to overshadowing or overbearing effects to neighbouring property to east. Due to the increased number of windows on proposal there is risk to overlooking however due to large gap remaining to boundary, location of boundary fence to east and mature hedging along east side boundary there is no adverse harm to overlooking to neighbouring property to east so is acceptable.

IMPACT ON CONSERVATION AREA

The proposal is in the Aldwick Bay Conservation Area. Due to the siting of the extension at the rear it will be not be visible from the street scene so has no adverse impact on Conservation Area. The materials are face brickwork walls, GRP flat roof, bi-fold doors and windows to be painted hardwood double glazed units so will match existing dwelling and are appropriate to surrounding area so does not give harm and complies with Policy HER DM3 of the Arun Local Plan.

Para 190 of the NPPF requires the LPA consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage assets due to its siting at rear of property so does not harm the Conservation Area.

Under Para 196 of the NPPF the development will lead to no harm to the Conservation Area due to its size, design and restricted views from street scene.

SUMMARY

The development is deemed to accord with relevant development plan policies 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:
 Location Plan
 Site/Roof Plan
 Proposed Elevations Rev B
 Proposed Ground Floor Plan Rev C
 Existing Elevations
 Existing Floor Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 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.