

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

REF NO: AW/177/21/HH

LOCATION: 5 Grange Court
Aldwick
PO21 4XR

PROPOSAL: Erection of rear timber orangery and front porch

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Aldwick Parish Council:

Objection due to overbearing impact on the neighbouring properties and being out of character with the existing dwelling. Further concerns about conflict with the wider character of the area. No objection to the orangery.

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:
2km Buffer of Scientific Interest
Pagham Harbour Zone B
Tree Preservation Orders

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)

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Aldwick does not have a Neighbourhood Plan but does have a Parish Design Statement with the property located within Area 4.

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 locality.

DESIGN AND VISUAL AMENITY

The porch is of a small size measuring 0.7m in depth and 1m in width which would benefit from permitted development rights had it not been a listed building. It is of a sympathetic design to the main dwelling house and has an acceptable impact on the character of the area due to other dwellings within the locality having porches. It is subservient to the main dwelling house.

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

The orangery will extend from the rear of the dwellinghouse with a width of 4.5m and a depth of 2m. With the development single storey in nature, it appears sympathetic in design to the host dwelling and with the materials matching the host dwelling it helps to ensure it is well integrated. Its height is modest with a flat roof at 1.45m with a sky lantern that will have a maximum height of 1.75m.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Section M refers to householder extensions. The scale, massing and positioning of extensions should be visually subservient to the existing property. It is considered the proposal complies with the Design Guide as the development appears in modest in scale to the host dwelling.

The porch and orangery accord with policies D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The porch only projects 0.75m from the dwellinghouse. It would not cause a loss of light to, an overbearing impact upon or a loss of privacy to neighbouring dwellings. It would not breach a 45 degree line drawn from the nearest window of the neighbouring dwellinghouse and would therefore comply with the 45 degree rule which the Council uses to assess loss of light to and overbearing impact upon neighbours windows. The views from the porch will not give rise to any overlooking due to the views being available from the public realm.

The orangery will have depth of 2m along the rear elevation, retaining around 26m to the rear boundary. Furthermore, the width of the orangery being 4.5m allows for a minimum of 1.96m to be retained to the side boundaries, due to the height of the proposal it is not considered this would cause any unneighbourly impact on the amenity space or overbear the boundary. The extension will have a flat roof with a height of 1.45m which increases to 1.75m with the addition of the skylantern.

There will be doors to the rear, which will have views over the garden of the host dwelling. As well as

some windows to the side which will be at single storey and as such are not deemed to overlook the neighbouring properties.

The porch and orangery accord with policies D DM1 and D DM4 with respect to residential amenity.

SUMMARY

The development accords with policies D DM1 and D DM4 of the Arun Local Plan and is recommended for approval subject to the following conditions.

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 Plan 12115-6/04

- Block Plan 12115-6/03 Rev A
- Proposed Plans 12115-6/02
- Existing Plans 12115-06/01

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.