

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

REF NO: AW/208/15/HH

LOCATION: Wide Horizon
11 Waters Edge
Aldwick

PROPOSAL: Ground & first floor rear extensions, balcony & internal alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Two-storey rear extension to be located to the rear of the existing attached double garage. This garage element is set at a lower level than the main dwelling and has sitting room accommodation above, with a rear terrace area with store below.

The extension measures 5.15m in depth and 5.97m in width and includes an external access balcony on the east. Stairs from the house and garden to the balcony would also be included. The stairs from the garden would be located at the rear south end of the access balcony. The extension would be partially below ground level. The eaves would be the same level as the garage and 3.7m above ground level. The ridge would be 4.8m above ground level, the same as the garage. There would be a south facing gable.

The extension would have glazed curtain walling to the south and east elevations. The balcony balustrading on the east would be glazed, but this will be in the form of an obscure glazed 1.7m high privacy screen. The doors to the rear will open but will be screened. There would be no openings in the west wall of the extension. Roof lights are proposed in both roof planes. The lower floor accommodation is to be a games room/snug. The existing room above the garage is to be converted into 2 bedrooms, bringing the total number to 5.

A small extension is proposed to the rear west to provide a bathroom. This will be at first floor level in the existing balcony area and will have

a sloping roof off that of the dwelling. It measures 1.89m in depth and 3.12m in width.

Roof materials match the dwelling. Walls would utilise smooth decorative render. Windows would be triple glazed aluminium clad timber casements. Doors would be timber clad aluminium casements.

It is proposed to widen the dropped kerb to allow additional car parking to the front. Matching paving would be utilised.

SITE AREA

Approximately 0.07 hectares.

RESIDENTIAL DEVELOPMENT DENSITY

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the development.

BOUNDARY TREATMENT

The west boundary is a brick wall of approximately 1.8m in high. The east boundary is a wooden panel fence of approximately 1.8m high. The front of this dwelling is generally open.

SITE CHARACTERISTICS

Detached dwelling of white painted brick with hipped roof. To the west there is secondary side element providing a double garage and room above set at a lower level than the main dwelling and also accommodated by a rearwards extension. The dwelling has a rear balcony and terrace. The rear faces the beach and sea.

CHARACTER OF LOCALITY

Predominantly residential characterised by fairly substantial detached dwellings of broadly similar design, although in places there is variation in materials. The dwelling to the west has a rear linked element close to the boundary. The dwelling to the east is of similar design and has a rear balcony, with rear bedroom windows centrally located.

RELEVANT SITE HISTORY

AW/100/12/T

Crown reduce 2 no. Monterey Cypress trees by 1m and crown lift to 2m.

Approve Conditionally
28-06-2012

AW/259/14/T	Crown reduction of 1 No. Monterey Cypress tree by 1 metre	ApproveConditionally 03-11-2014
AW/250/14/T	Fell 1 No Cupressus Macrocarpa tree	ApproveConditionally 03-11-2014
BR/18/72	Construction of 2 detached houses both with garages	ApproveConditionally 01-03-1972
BR/630/72	Amendments to approved plans for plot 4	ApproveConditionally 22-09-1972
BR/277/76	Extension for loggia and balcony over relaxation of K3	ApproveConditionally 09-06-1976

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Objection:

Members strongly objected to the application on the grounds that the proposed extensions and balcony would have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties and because the application would not preserve or enhance the Conservation Area. Therefore Members agreed that the application is in direct conflict with Policy Dev 19 (iii) of the Arun District Local Plan (2003) and with Policy Area 2 of the Arun District Local Plan (2003) and with the Parish Design Statement development criteria Area 4, p41.

1 letters of objection from the adjoining occupier to the east:

1. Loss of views to the west across 'Aldwick Bay' towards Pagham and Selsey and therefore loss of visual amenity.
2. Loss of privacy to the main rear bedroom resulting from the eastwards facing glazed curtain wall of the extension and glazed balustrade to the balcony serving it.
3. Loss of privacy to the rear garden area of the dwelling to the east.

1 letter raising no objection, but commenting from a nearby occupier as follows:

In considering to grant the application and any attaching conditions, I draw the attention of the Planning Committee to the palette of materials, textures and colours that serve to give Waters Edge an identifiable and homogenous character and ask that the Committee give due cognisance to the impact on the appearance of the area as a result of the design, materials, appearance and layout of the proposals.

Comments on Representations received:

The issues raised are considered in the Conclusions section of this report.

The application has been revised to include a privacy screen and relocate external stairs from the garden in order to address privacy/overlooking issues.

CONSULTATIONS

Arboriculturist

Consultations responses received:

The Councils Tree Officer raises no objection and comments:

- There are no trees in the rear garden that could potentially be affected by the proposed construction project due to the proximity of the proposed development.

Recommendation:

- No objections to the development as the location of the established trees is unlikely to be affected by the construction process.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Tree Preservation order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
 GEN7
 DEV19

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Aldwick has not prepared a Neighbourhood Plan.

The site falls within Area 4, Craigweil Lane in the AVDS. Waters Edge is not identified as a main street.

The AVDS notes:

The cul-de-sacs that lead off Alexander Close and Craigweil Lane have a variety of different style houses and bungalows. Comprising a mix of large Georgian style detached homes and medium sized detached properties. Lucerne Court is unusual in that it has detached two storey properties to one side and bungalows to the other. Waters Edge is different again in that it consists of large detached split level homes of very similar design with integral garages.

The other private developments are Aldwick Place and Waters Edge both of which have access to the beach. They are both well laid out comprising a small number of different style detached homes.

Development Criteria include:

- New or replacement buildings or extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby.
- Where planning permission is required, preserve existing separation of dwellings, and prevent un-neighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived

linkages between buildings.

- Materials matching the existing building to be used where appropriate.
- Exercise strict control over any roof development likely to be particularly intrusive by virtue of proximity to neighbouring dwellings. Any roof redesign should be sympathetic and in keeping with the character of existing properties.
- Preserve character of area.

The proposals are considered to be generally consistent with the guidelines.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which the application will be assessed are contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014) which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in change to the appearance of this dwelling. The proposals are sympathetic to the appearance of the existing dwelling in terms of roof pitches and eaves and massing. Walling elements are also sympathetic in terms of materials.

The use of more modern materials for the glazed curtain walling and the privacy screen is a departure from existing materials. These will contrast and introduce a more modern appearance to the south and east elevations of the extension. These elevations will sit with a scheme which to

a significant degree will be broadly similar to the existing dwelling. The design and appearance are not considered to be incongruous or visually intrusive.

The loss of view is not a material planning consideration in this application.

The extension is acceptable in design and visual amenity terms and complies with policies.

RESIDENTIAL AMENITY

The extension has been revised to include a 1.7m high obscure glazed privacy screen and stairs from the garden have been relocated in order to avoid there being any openings in this screen which will protect the privacy of the adjoining occupiers garden and views into their rear bedroom. The revised scheme does not give rise to privacy loss and does not result in detriment to residential amenity. Other elevations of the extensions do not give rise to the potential for privacy loss.

The scale, location and relationship of the main extension with adjoining development are not such that it would be unduly dominant or would result in undue loss of light. The extension is acceptable in residential amenity terms and complies with policies. The obscure glazed screen would remain in perpetuity.

PARKING

The dwelling benefits from 4 or more parking spaces. The extension will not result in loss of parking and proposes an increase. Parking provision will accord with standards for a dwelling of the size proposed.

It is recommended that the application be approved, 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 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 Neutral 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).

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 drawings:

Drawing Number 15773/02 Rev A - Proposed Plans - Dated Sept 2015
Drawing Number 15773/03 Rev A - Proposed Elevations - Dated Sept 2015
Drawing Number 15773/04 - Proposed Location & Block Plans - Dated July 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 4 Before the development hereby permitted is first commenced details of the means or type of permanent obscure glazing to be utilised for the privacy screen to the balcony on the east side elevation of the of the main extension shall be first submitted to and approved in writing by the Local Planning Authority. The privacy screen to the balcony on the east side elevation of the of the main extension shall at all times be glazed with obscured glazed in accordance with the details so approved and shall remain in place in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan, 2003 and policies D DM1 and D DM4 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 5 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.