

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

REF NO: AW/218/18/HH

LOCATION: 11 St Richards Way
Aldwick
PO21 3BD

PROPOSAL: Proposed outbuilding in rear garden

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an outbuilding to the rear of the garden.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Aldwick Parish Council provided an objection on the grounds it will have adverse overshadowing, overbearing and overlooking on neighbouring properties.

2 letters of objection from 1 nearby occupier.

- Due to the roof height and pitch it will reduce light entering the kitchen.
- A 4m ridge height will fill the view from the window.
- The proposal sits close to the boundary reducing ability to maintain the wall and clear gutters.

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
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

CONCLUSIONS**PRINCIPLE**

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy considered within this application is DDM1 of the Arun Local Plan.

The site is occupied by a detached two storey dwelling with an attached garage to the front of the property.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct an outbuilding situated to the rear of the garden and is therefore not visible from the street scene.

The outbuilding will have a relatively steep pitched roof with a maximum height of 4m. It will be constructed to a depth of 9.1m extending along the southern boundary. The outbuilding has a width of 3.25m which then reduces to 2.2m as it extends towards the rear boundary of the dwelling.

It is not considered the materials proposed would be out of character as they are not visible from the street scene.

The proposal is deemed to accord with DDM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal is situated close to the boundary at the south with a separation of around 0.3m however the neighbouring property has an outbuilding of a similar height and size and therefore it is not considered to give rise to any overbearing or overshadowing impacts upon No.9.

4 Seabrook Close is situated along the rear garden of the host dwelling. The property has a window in direct view of the proposed outbuilding. Due to its siting it will suffer a loss of light from the proposed development, however it is not considered to be significant in which to justify a refusal. This is due to the separation distances in which there is a minimum of 1.8m from the rear of the proposed outbuilding to the fence at the western boundary and a further 2m to the wall of the neighbouring dwelling. The window impacted also serves a kitchen which is not considered a principle window and there is also planting to both sides of the boundary which help to screen the development.

It is also worth noting that a building could be constructed to a height of 2.5m which would not require permission and would likely still impact upon the neighbouring property.

The proposed outbuilding due to its design and the separation distance is considered to comply with DDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

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
 - Block Plan
 - Layout Plan -01
 - Elevations Drawing- 02
 - Roof Plan - 03
 - Section -04
 - Section- 05

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District 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.