

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

REF NO: AW/248/18/HH

LOCATION: 13 Gossamer Lane
Aldwick
PO21 3AT

PROPOSAL: Front two storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to construct a two storey pitched roof front extension with an eaves and ridge height to match the existing dwellinghouse. The extension would project a total of 7.5 metres forward where the dwelling frontage is currently staggered back from the western half of the front elevation. The proposed extension would project 4.5 metres forward of the western half of the dwelling forward of the building line of neighbouring properties on the south side of Gossamer Lane (9-23 Gossamer Lane). It would have a width of 5.3 metres (approx. half of the dwellinghouse) and have a side elevation 1.78 metres from the closest eastern boundary with 11 Gossamer Road.
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RELEVANT SITE HISTORY

BR/569/74	Kitchen Dining & Bathroom Extension	ApproveConditionally 11-09-74
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Objection - Members strongly opposed the proposed extension on the grounds that the extension is not visually subservient to the main building and because the extension would have an adverse overshadowing, overlooking and overbearing effect on a neighbouring building and because the extension would compromise the established spatial area of the street (breaking the straight building line). Therefore Members agreed that the application is in direct conflict with Policy D DM4 (b), (c) and (e) of The Arun District Local Plan 2011-2031 and with the Parish Design Statement Page 35. Note - the relevant page of the Aldwick Parish Design Statement is page 45.

1 objection was received from no. 11 Gossamer Road, the neighbour to the east. Objections

summarised as follows;

- 1) Proposed extension visually dominant due to projection forward of the building line.
- 2) Loss of privacy to no.11 Gossamer Lane.
- 3) Overbearing impact.
- 4) Loss of landscaping/trees in front garden.
- 5) Adverse impact on surface water drainage.

Comment - points 1-3 are addressed in the conclusions section of the report below.

- 4) The trees/shrubs in the front garden are not considered of a sufficient size to warrant protection from tree preservation orders.
- 5) The drainage impacts of the scheme over and above the existing hardstanding at the front of the property are not considered significant to warrant consultation with the Council's drainage engineers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

TREE PRES ORDER

CLASS C ROAD

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
TSP1	T SP1 Transport and Development

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

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, p. 35 of the Aldwick Parish Design Statement is considered relevant.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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 T SP1 seeks to ensure that new developments including alterations and extensions maintain sufficient parking in accordance with WSCC parking standards taking into account the impact on on street parking and providing safe access onto the highway serving the development.

p. 35 of the Aldwick Parish Design Statement provides specific development criteria for Gossamer Lane area that new extensions should be subservient to the existing dwellinghouse and not vary significantly in height or bulk from those nearby. In general development should match the character of existing properties and in particular that proposed developments should match the existing pattern of development including setback from the roadside. It also seeks that extensions to roofs should be sympathetic with existing properties and should not be intrusive in relation to neighbouring properties.

DESIGN AND VISUAL AMENITY

The proposed 2 storey front extension would project 4.5 metres forward of the foremost part of the staggered front elevation which aligns with the front building line of nearby properties in Gossamer Lane. As such the proposal would not be subservient to the existing dwellinghouse, would be overly prominent in the street scene and have a significant adverse impact on the character of the locality and the established spatial pattern of the area. Its presence would draw the eye on approach from east and western directions on Gossamer Lane while the building is not located in a location such as a corner or other prominent location where emphasis within the street scene might be warranted.

The extension would have some characteristics that would be sympathetic with the existing dwelling using similar materials, roof slope and window styles however as stated above it would not be subservient to the existing dwellinghouse by virtue of its scale, mass, height and forward projection from the front elevation of the dwellinghouse.

The proposal would be likely to cause the loss of hedges and small trees to the front of the dwelling however this is not considered to benefit from planning control.

Therefore, the proposed development is deemed to be contrary to policy D DM1 para. 1 and 14, D DM4(a), (b) and (e) of the Arun Local Plan and the Aldwick Parish Design Statement.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed front extension would have a length of 7.5 metres at two storey level on the eastern boundary of the site adjacent to no. 11 Gossamer Lane. 11 Gossamer Lane has a converted garage adjacent to the boundary. The proposed new extension would intersect a 45 degree line drawn from the front habitable room window in the garage and would therefore cause an overbearing impact and some loss of daylight and sunlight to that window. The Council uses the '45 degree rule' as a rule of thumb to assess impacts on the residential amenity of properties neighbouring application sites.

It is not considered that the proposal would cause a loss of privacy to no. 11 as it does not have any windows facing in the side elevation.

No impacts on the residential amenities of any other properties to the front, rear and west side of the property would be considered relevant.

The proposed extension would not be considered to cause a significant loss of light and overbearing impact to no. 11 Gossamer Road and is deemed to be contrary to policies D DM1(3) and D DM4(c) of

the Arun Local Plan.

PARKING AND ACCESS

The proposed front extension would cause the loss of a parking space however there is adequate hardstanding to the front of the dwelling and garaging to the west side of the property to provide parking for in excess of 3 cars at the front of the dwelling which would comply with the WSCC parking standards. There are no proposed changes to the vehicular access to the property.

The proposal is considered to comply with policy T SP1 of the Arun District Local Plan relating to parking and access.

SUMMMARY

The proposed development is deemed to be contrary to relevant development plan policies and as such is recommended for refusal for the following reasons;

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

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 proposal would not be subservient to the existing dwelling house and would be prejudicial to the character and established spatial pattern of the Gossamer Lane area and therefore conflicts with policies D DM1 and D DM4 of the Arun Local Plan and the Aldwick Parish Design Statement.
- 2 The proposal is unacceptable because the proposed front extension would have an overbearing impact and cause a significant loss of daylight and sunlight to the front westernmost window of no. 11 Gossamer Lane and would therefore be contrary to policies 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons 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.