

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

REF NO: AW/258/19/HH

LOCATION: 26 Barrack Lane
Aldwick
PO21 4DA

PROPOSAL: 2 storey extension to provide sunroom/study, dressing room and en suite bathroom. This application may affect the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a two storey extension to the western side of the property.
----------------------------	--

RELEVANT SITE HISTORY

AW/155/07/	Two storey extension to provide sunroom/ study, dressing room and en suite bathroom.	ApproveConditionally 20-07-07
AW/115/10/	Renewal of unimplemented planning permission ref: AW/155/07/ for a two storey extension to provide sunroom/study, dressing room and en suite bathroom	ApproveConditionally 04-08-10

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

No objection

2 letters of objection received from nearby occupiers.

- The extension will have a direct line of sight into bedrooms windows as a single storey bungalow opposite the application site.
- Works will involve considerable noise disruption.
- Parking will be a problem and there is poor visibility.
- The extension will affect the visual impact of the neighbouring listed property.
- A Covenant is in place which requires agreement to be obtained.

Following the objections received a further response was received of no objection.

- Provided the applicant complies with the contents of the letter as discussed and the windows will be obscured, I am willing to withdraw my original objection.

Comments noted and addressed within the report. Covenants are not considered a material planning consideration and planning applications can still be granted regardless of any covenant. However should a planning application be granted the applicant may still need to abide by such covenants and they could preclude the applicant(s) from implementing any grant of planning permission.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

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
HERDM1	HER DM1 Listed Buildings
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 policies considered are DDM1, DDM4 and HERDM1 of the Arun Local Plan.

Aldwick does have not a Neighbourhood Plan however does have a Parish Design Statement which is relevant to the determination of the application. The property is situated within Area 3.

SITE HISTORY

The proposed development is a resubmission of two previous application received in 2007 and 2010. The development proposed is the same scheme as that which was approved in both previous applications.

DESIGN AND VISUAL AMENITY

The proposal will be situated to the western side of the dwelling and will therefore be visible from the street scene.

The extension has been sympathetically designed in appearance to the host dwelling with the use of a dormer to match that which is in existence to the front elevation and matching eaves and roof design. As a result the development appears well integrated and subservient to the host dwelling. The extension will be constructed with materials to match the existing dwelling which again ensures its visual integration.

6.9m is retained to the front boundary and 3.75m to the west. As such, the development does not appear unduly dominant upon the street scene nor as an overdevelopment of the site.

Due to the modest size and design, the proposed extension is not considered to adversely impact upon the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension will have a width of 3.9m and run along the full western side elevation at approximately 7.9m. There is an existing conservatory however this will be removed. The extension will match the eaves and ridge height of the host dwelling and due to its design, with 3.75m retained the boundary to the west, it is not considered to appear overbearing or overshadowing upon amenity.

A nearby neighbour has concerns of overlooking from the proposed front facing dormer window and the applicant has agreed to obscure glaze the window. It is however not considered reasonable to enforce this via the use of a condition. This is a result of the separation distance between the properties which is sufficient to reduce any adverse overlooking. It is also considered that the view from the window would be of the street scene and not additional to that which is already possible from the existing front facing windows.

To the rear elevation there will be 3 rooflights, however due to the siting of these and neighbouring properties, it is not deemed to give rise to adverse overlooking.

On the previous permissions the windows to the west were conditioned to remain obscured glazed and this will be conditioned again to ensure no adverse overlooking.

The proposal is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SETTING OF LISTED BUILDING

The host property is next to a Grade II Listed building 'Old Manor Cottage'. Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. There is a large amount of modern development around the cottage, which has had an impact upon its setting. The cottage has substantial hedging which restricts its views. The proposal is therefore considered to have a limited impact on the significance of the heritage asset as a result of the modest size and separation between the properties and results in no harm.

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

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
 - Block Plan
 - Proposed Roof - 10714/07
 - Proposed First Floor - 10714/03
 - Proposed Ground Floor - 10714/02
 - Proposed Elevations - 10714/05
 - Proposed Elevations - 10714/04

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 The first floor windows on the western elevation of the building shall at all times be glazed with obscured glass and only openable at a high level at least 1.7m from finished floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with

policies D DM1 of the Arun Local Plan.

- 4 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.
- 5 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.