

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

REF NO: AW/259/21/HH

LOCATION: Southmead
Canons Close
Aldwick
PO21 4EB

PROPOSAL: Single storey rear extension, single storey front extension and two storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The two front extensions would be; 1.6m deep and 5.3m wide, and 0.9m - 2m deep and 5.2m wide, respectively, and would have flat roofs with a height of 3.1m and 2 rooflights. The two storey side extension would be 6m deep and be sited above the existing garage (plus additional 1.4m in width) with a hipped roof with an eaves height of 5.4m and a ridge height of 9.3m. The single storey rear extension would have a depth of 4m, width of 16.5m and a flat roof with a height of 3.4m, and three rooflights. The property would be re-modelled externally to have a more contemporary appearance and the property and extensions are proposed to have render at ground floor level and be clad at first floor level (instead of brickwork and tile hung as existing), have a concrete tile hipped roof as existing, aluminium framed windows (instead of white UPVC as existing) and hardwood and aluminium framed doors (instead of wood and white UPVC as existing). The proposals also include re-location of the main front entrance door centrally on the front elevation, and changes to the fenestration.
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RELEVANT SITE HISTORY

BR/94/81	Erection Of One Detached House With Integral Garage And New Access	ApproveConditionally 25-01-81
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REPRESENTATIONS

Aldwick Parish Council -
No objection.

No other representations were received.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

N/A - no consultees consulted.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary

2km of Bognor Reef & Pagham Harbour SSSIs

Pagham Harbour Zone B

Flood Zone 2

TPOs x 2

CIL Zone 4

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
QESP1	QE SP1 Quality of the Environment
ENVDM4	ENV DM4 Protection of trees
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

KEY ISSUES:

The key issues in the determination of this application are as follows:

- Impact on appearance of building and visual amenity of area
- Impact on neighbouring residential amenity
- Impact on TPO tree
- Flooding and Drainage

SITE & CONTEXT:

The application site consists of a two storey, detached, post war dwelling located on the northern side of Canons Close in Aldwick. The property has a large front garden and gravel driveway and integrated

garage. At the rear the property has an existing single storey conservatory and rear gardens. There is a mature Oak tree in the garden which is a significant feature in the local landscape and is under the protection of TPO. The boundaries to the site consist of brick wall and timber panel fencing. Cannons Close consists a residential cul-de-sac on private estate, with residential suburban/coastal character. The properties are all detached, single and two storey, houses of varying design, set on relatively large garden plots with on-site parking.

VISUAL AMENITY:

Para 130 of the National Planning Policy Framework (NPPF, 2021) requires that applications for developments (b) are visually attractive as a result of good architecture and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting. Para 134 of the NPPF states "Development that is not well designed should be refused".

Policy D SP1 of the Arun Local Plan (ALP) states development should reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, attractiveness, residential amenity impact and scale. ALP policy D DM4 sets out requirements for extensions and alterations to existing buildings, including that they should; sympathetically relate to and visually integrate with the building, be visually subservient to the main building, if the area is characterised by gaps between buildings at first floor then any first floor extensions maintain a 1m gap to the side boundary, and that extensions and alterations do not compromise the established spatial character or pattern of the place.

Section M of the adopted ADC Design SPD (Jan 2021) provides detailed advice regarding extensions including; "Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. This is best achieved through simple and unobtrusive design. In addition it states, "The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable (Figure 274)." The SPD also provides specific guidance in respect of front extensions, side extensions and rear extensions. Front extensions "in particular must consider their impact on the surrounding street scene", "Takes care not to disrupt the existing composition of the street in terms of rhythm or building line", "Ensures continuation of existing building design in terms of details and materials" and "Avoids large, flat-topped porches; incorporating pitched roofs in most cases." Appropriate two storey side extensions "Avoids a terracing effect by setting side extensions back from the front of the house, keeping these 1 metre from side boundaries at ground floor and 2 metres above, and following the '70-degree rule'; or providing a robust justification for an alternative design solution" and "Responds to existing building design in terms of roof pitch, and uses complementary and integrated materials and elevational design." The SPD states that "Rear extensions, particularly single-storey additions which are less visible from the street, tend to be less visually obtrusive than side or rear extensions and are therefore able to be expressed through a wider variety of forms including innovative and contemporary architecture."

Aldwick does not have a Neighbourhood Plan but the Aldwick Parish Design Statement (2015) is relevant. It identifies the property as being within Character Area 3 (Barrack Lane) which is characterised by low density development, properties of 1930s and 1960/70s design, single and two storey properties set back from the road, and wide open planned gardens. Under Development Criteria it states "new...extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby" and "Any roof re-design should be sympathetic and in keeping with the character of existing properties" and "Extensions should be in keeping and well-related to existing buildings and space. Materials matching the existing building to be used where appropriate."

The proposed front extensions would not project significantly beyond the existing front building line, would be well set back from the street frontage given the considerable front garden depth, and there is some degree of variation in the front building lines and designs of properties along this side of Canons Close, so the proposals would not disrupt the existing composition of the street in terms of rhythm or building line. The scale of the front extensions would be modest and appear in proportion and retain visual subservience to the host dwelling. The flat-roofed form and contemporary design and materials of the front extensions would not ensure a continuation of the existing building design and materials. However, it would reflect a proposed general re-modelling of the property to give it a more contemporary design and finish overall and this would not be harmful to the appearance of the street scene (more details on this below). The proposed re-location of the main front entrance door more centrally on the facade would result in a better balance to this elevation than existing. The introduction of full-length windows/doors to the western end of the front elevation would be more unusual than regular windows on a front elevation but it would balance out with the integrated garage door on the eastern end of this elevation and would have an acceptable visual impact.

The proposed two storey side extension would extend over the existing garage (which would be widened) and beyond and would alter the roof from the existing combination of hip to cat-slide roof to a full hipped roof on the eastern end of the property. The new roof form to the eastern end would reflect the existing hipped roof form on the western end of the property and would be sympathetic to and in keeping with the host dwelling. Having a hipped roof on either end would actually result in better balance to the property overall than the existing combination roof form. The side extension would be set back from the front building line by around 2m as recommended in the ADC Design SPD to allow for it to be articulated and visually subservient to the main building. It would be set in from the side boundary by around 1-1.5m. Whilst this would be less than the 2m gap at first floor level to side boundary recommended in the ADC Design SPD, given the arrangement of the buildings and gaps between buildings which would be retained, a terracing effect would not result. In terms of materials and design it would integrate with the contemporary appearance of the re-modelled property.

The rear extension would replace an existing conservatory and span the entire width of the rear elevation of the property. Whilst it would be large in scale in terms of its width and would have a large expanse of flat roof, it would be single storey and would be sited at the rear of the property away from public views within the street scene so it would have an acceptable impact. In terms of materials and design it would integrate with the contemporary appearance of the re-modelled property.

The property would be re-modelled externally to have a more contemporary appearance and the property and extensions are proposed to have render at ground floor level and be clad at first floor level (instead of brickwork and tile hung as existing), have a concrete tile hipped roof as existing, aluminium framed windows (instead of white UPVC as existing) and hardwood and aluminium framed doors (instead of wood and white UPVC as existing). The re-modelled property would appear very different in form, design and materials than the existing building. However, the property is detached and on a large plot, and there is general variation in design within the street scene, including other white render properties and very contemporary designed property at Craigweil House. The Aldwick Design Statement does not characterise this area as having uniform design nor advise that contemporary approaches are not acceptable. As such, although the altered design would be different from the existing building and neighbouring properties, it would not be visually harmful to the street scene or area. Since the materials are not fully and clearly stated in the application form or drawings, a condition will be applied requiring a schedule of proposed materials (including specifications and photos) to be submitted to and approved in writing by the LPA.

In conclusion, the proposed front, side and rear extensions and re-modelling of the property overall would have an acceptable impact on the appearance of the application property and the visual amenity and character of the area, in accordance with the NPPF, ALP policies D SP1, D DM1 and D DM4, the

Aldwick Design Statement and the ADC Design SPD.

RESIDENTIAL AMENITY:

NPPF para 127(f) requires decisions to create places with a high standard of amenity for existing and future users.

Policy QE SP1 of the Arun Local Plan requires development contributes positively to the quality of the environment and ensures development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development has a minimal impact to users and occupiers of nearby property/land e.g. by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

The ADC Design SPD sets out amenity requirements, including the 25 and 45 degree tests for outlook/daylight loss and minimum separation distances to avoid overlooking etc.

Due to the scale (depth and height) of the front extensions and their siting from Bell House and Tanglewood these would not have any significant harmful impacts in terms of loss of outlook or daylight to these neighbouring occupants.

The same is true for the rear extension. It would replace a much smaller rear conservatory with pitched roof form with a full-width, solid construction rear extension with flat roof. It would be set in from the rear conservatory and side windows of Tanglewood to the east by around 7.5m, around 4m deep, and being single storey and around 3.4m in height would therefore not have a significant harmful impact on outlook or light to this neighbouring property. It would be set in from the nearest clear-glazed (i.e. likely habitable room) rear window to Bell House to the west by around 5m. It would be marginally deeper than the existing conservatory (by 0.5m), of more solid construction, and with a flat roof instead of pitched (albeit lower total height than the ridge height of the conservatory). Given the set in from Bell House, the overall depth of the rear extension (4m) and its height (3.4m), it would not result in significant and harmful loss of outlook or light to this neighbouring rear window.

The two storey side extension would be set in approximately 10m from the front/side of Tanglewood, a single storey bungalow to the east. The positioning of the new side extension would mean it would only affect the southernmost part of Tanglewood which consists a single storey side conservatory and driveway parking area. The new side extension would have a ridge height of around 9.3m and a pitched roof form sloping away from the side boundary with Tanglewood. Given the distance of the new side extension from Tanglewood, the existing arrangement/layout and relationship to of Tanglewood, and its pitched roof form, it would not result in a significant harmful overbearing/overshadowing, loss of outlook or light levels to these neighbouring occupants. The two storey side extension would not contain any side facing windows at first floor level so would not result in any increased overlooking toward Tanglewood. There would be additional first floor windows on the front and rear elevations of the new side extension, however these would be sufficient distance from neighbouring properties/gardens and would not offer any significant additional angles of view than cannot already be achieved from the existing first floor windows of the property. A condition will be applied removing PD rights for new first floor side facing windows to the side extension to ensure the privacy of neighbouring Tanglewood is maintained.

In conclusion, the proposals would have an acceptable impact on neighbouring residential amenity, in accordance with the NPPF, ALP policies D DM1 and QE SP1 and the ADC Design SPD.

TREES:

Arun Local Plan policy ENV DM4 states that "Development will be permitted where it can be

demonstrated that trees protected by a Tree Preservation Order(s), (TPO)...or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity" unless certain exception tests are met.

There is a mature Oak Tree within the rear garden which is a significant features of the local landscape and which is the subject of a Tree Preservation Order. Regrettably, no Tree Report has been submitted with the application. The Council's Trees Officer has provided the following comments:

There is at least one tree of significance on-site, an established oak that is subject of a Tree Preservation Order. My estimate of its nominal Root Protection Area (RPA) based on my inspection earlier this year, suggests any negative (direct) impact from the proposed development would likely be minimal and ought to be negligible. It seems proportionate to me that we seek to secure adequate tree protection (Constructive Exclusion Zone) by asking the applicant to employ an Arboricultural Consultant to submit a whole site Tree Survey and Tree Protection Plan, in accordance with the requirements of BS5837:2012 Trees in relation to Design, Demolition and Construction. As no works or any other activity need occur within the RPA, a full Arboricultural Impact Assessment and Method Statement would be unnecessarily onerous.

On the basis of the above Tree Officer comments, a planning condition will be applied requiring that prior to commencement of development, the applicant submit and get approval in writing from the LPA a Tree Survey and Tree Protection Plan (to include CEZ around the TPO-ed tree). Subject to this condition, the proposals would not harm any trees, in accordance with ALP policy ENV DM5.

FLOODING & DRAINAGE:

The site is in Flood Zone 2 (medium risk of flooding). In accordance with the NPPF, a Sequential Test (which seeks to direct new development to areas with the lowest risk of flooding) would ordinarily be required for sites in Flood Zones 2 & 3 and where a Sequential Test has not already been done for development of the type proposed on the site (which it has not). Arun Local Plan policy W DM2 details that planning permission will be granted when "the sequential test in accordance with the NPPG has been met". The NPPF requires a Flood Risk Assessment (FRA) for all developments in Flood Zones 2 & 3, which as per the NPPF/NPPG, should be proportionate to the scale and nature of the proposal.

However, the proposed development would fall within the NPPF's definition of 'minor development' so it would be exempt from the need for a Sequential Test. No FRA has been submitted with the application. It is recommended that a planning condition be applied to secure a FRA to identify flood risks and propose measures to mitigate against these e.g. raised finished floor levels and electrical sockets, use of flood proof materials etc.

Policy W DM3 of the Arun Local Plan states that "all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development" and that "Proposals for both major and minor development proposals must incorporate SUDS within the private areas of the development in order to provide source control features to the overall SUDS design. These include; green roofs, permeable driveways and parking, soakaways, water harvesting and storage". Policy 4 of the Rustington Neighbourhood Plan states that "Development proposals likely to affect surface water drainage will be supported, provided they are able to demonstrate that they include one or more of the following sustainable drainage design features as appropriate for the ground conditions:

- i. permeable driveways and parking areas;
- ii. water harvesting and storage features;
- iii. green roofs; and
- iv. soakaways

The front, side and rear extensions would be sited mainly on areas of existing hardstanding (front/side/rear paving and patio), so there would be a relatively small amount of increase in impermeable surfaces on site and thus the proposals are unlikely to significantly affect surface water drainage. The majority of the rest of the garden is laid to lawn, so there is less opportunity to improve existing surface water drainage conditions in the garden. However, as part of a Building Control submission soak aways would be required. The proposal therefore accords with the objectives of policy W DM3.

In conclusion, subject to the condition for an FRA, the proposals would not increase flood risk on the site or elsewhere and would be appropriately drained, in accordance with the NPPF, NPPG and Arun Local Plan policies W DM2 and W DM3.

SUMMARY:

The proposals would have an acceptable impact on visual and residential amenity, trees, flood risk and drainage, subject to planning conditions to secure a Tree Protection Plan and Flood Risk Assessment. The proposals would therefore accord with the Development Plan and are 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.

CIL DETAILS

This application is not CIL liable as it is for minor householder development under 100sqm in additional floor area.

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:

- Proposed Block Plan (received 17/08/2021)
- Existing Ground Floor showing proposed new ground floor red dotted line (received 19/09/2021)
- Ground Floor Plan (received 19/09/2021)
- Roofing Plan (received 19/09/2021)
- Existing Elevations (received 21/09/2021)
- Proposed Elevations (received 21/09/2021)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4, QE SP1, ENV DM4, W DM2 and W DM3 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs (and window and door frames) 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 the National Planning Policy Framework, and policies D SP1, D DM1 and D DM4 of the Arun Local Plan, the Arun District Council Design SPD (2021) and the Aldwick Design Statement (2015).

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no first floor windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side wall of the side extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 5 No development shall commence unless and until a full site Tree Survey and Tree Protection Plan (including Construction Exclusion Zone), in accordance with the requirements of BS5837:2012, have been submitted to and approved in writing by the Local Planning Authority. All works shall thereafter be undertaken in strict accordance with the details of any approved Tree Protection Plan.

Reasons: To protect trees of visual and landscape amenity, in accordance with policy ENV DM4 of the Arun Local Plan, and the British Standards.

- 6 No development shall commence unless and until a Flood Risk Assessment (which identifies sources of flood risk and appropriate and proportionate mitigation measures) has been submitted to and approved in writing by the Local Planning Authority. All works shall thereafter

be undertaken in strict accordance with the mitigation measures set out in any approved Flood Risk Assessment.

Reason: To ensure new development is adequately protected from flood risk, in accordance with the National Planning Policy Framework and policy W DM2 of the Arun Local Plan.

- 7 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.