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

REF NO: AW/269/22/HH

LOCATION: 11 Waters Edge
Aldwick
PO21 4AW

PROPOSAL: Two storey front/side extension, single storey rear extension including installation of front porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application include the following

- demolition of an existing basement and terrace of the side element at rear.
- erection of new lower ground floor extension forming a new sunken living room.
- erection of a first floor extension to the main building forming a new bedroom.
- alterations to the hipped roof of the side element at rear forming a gable end to the existing upper floor living room with access to new balcony.
- erection of a two storey extension to front side element consisting of a garage extension and new bedroom with an en-suite.
- demolition of the existing porch and erection of a replacement entrance porch
- internal alterations.
- replacement window.

All measurements are approximate.

RELEVANT SITE HISTORY

AW/358/15/HH	Single storey rear extension & swimming pool . Revision to part of scheme previously approved under planning application No. AW/208/15/HH	ApproveConditionally 22-02-16
AW/208/15/HH	Ground & first floor rear extensions, balcony & internal alterations	ApproveConditionally 23-09-15

REPRESENTATIONS

Aldwick Parish Council: no objection.

No representations have been received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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

PRINCIPLE

The development is in 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 and DDM4 of the Arun Local Plan and the Arun Design Guide, particularly Part M.

Aldwick does not have a 'made' Neighbourhood Plan, it does have a Parish Design Statement. The site falls within Area 4, Craigwell Lane in the Aldwick Village Design Statement (AVDS). Waters Edge is not identified as a main street nor within a Conservation Area.

SITE AND SURROUNDINGS

Detached two-storey 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, rear balcony and terrace. The rear faces the beach and sea.

The area is 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 habitable room windows. The west boundary is a brick wall, the east boundary is a wooden panel fence. The front of this dwelling is generally open. There are trees protected by a TPO on the western boundary of the garden.

DESIGN AND VISUAL AMENITY
This application seeks planning permission for alterations and extensions as listed above. The proposals will result in change to the appearance of this detached two storey house. Whilst the proposals are sympathetic in style and appearance to the existing dwelling in terms of materials and general appearance, the two-storey rear extension will result in unacceptable development in terms of impact on neighbouring occupiers, in particular No.9 Waters Edge.

The design and appearance are not incongruous or visually intrusive from the streetscene but fail to comply with D DM1 and D DM4 and Part M of the Arun Design Guide with respect to residential amenity.

RESIDENTIAL AMENITY
The two-storey rear extension will extend south 3m from the existing rear elevation, with an eave's height of 5.4m, it will be set in from the existing east wall by 0.2m.

No.9 has windows at first floor on the western side elevation, a balcony with patio door and windows on the southern elevation set away from the western corner of the rear elevation.

The rear elevation of No.9 sits further north in the plot than No.11 and its rear elevation faces south south east rather than south, angled slightly towards No.11. At present the rear of No.11 is a single rear extension with balcony above.

According to the roof plan the edge of the roof of the two-storey element will be within 1.4m of the corner of the existing balcony of No.9 and will be overly dominant from this balcony and the rear windows of No.9.

This element of the proposed two storey rear extension will prove detrimental of the amenities of the occupiers of No.9 Waters Edge who will have a deep and high section of two-storey wall within close proximity of the shared boundary, their balcony and rear windows.

The scale, location and relationship of the two-storey rear extension with adjoining development are not acceptable in terms of residential amenity and fail to comply with ALP policies and the Arun Design Guide. Part M of which requires that rear extensions should not negatively impact neighbouring amenity.

Whilst the applicants have not provided plans showing a 45-degree line from the balcony and rear windows of No.9, the proximity of the two-storey element suggests it would intersect with this line if drawn from the balcony.

The proposed extensions on the southern side of the house are substantial in scale but will remain subservient to the existing dwelling and are orientated north-east of the neighbouring property to the west. The proposed porch is not identified as unacceptable.

The proposals will not accord with DDM1 and DDM4 of the Arun Local Plan and the Arun Design Guide.

SUMMARY
The proposed development fails to accord with the relevant development policies and as such is recommended for refusal for the following reason.

HUMAN RIGHTS ACT

Part 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 refusal 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 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 two-storey rear extension would, by virtue of its size and siting, have an overbearing impact resulting in detriment to the outlook and amenity for the occupiers of the adjoining residential property to the east contrary to policies D DM1 and D DM 4 of the Arun Local Plan and part M of the Arun Design Guide.

2 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 discuss the best course of action and is also willing to provide pre-application advice in respect of any future application.