

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

REF NO: AW/275/18/HH

LOCATION: 229 Manor Way
Aldwick
PO21 4HT

PROPOSAL: First floor side extension, loft conversion with rear dormer, rear canopy, and extension to detached garage. This application affects the character and appearance of Aldwick Bay Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a first floor extension to the side of the dwelling which will involve the creation of a balcony area. The loft space will be converted and a rear dormer will be constructed. The existing detached garage will also be extended to the rear.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council provided no response.
Aldwick Bay Company Limited provided no objection.
6 letters of objection from nearby occupiers.

- It will lead to overlooking and noise pollution.
- Height and proximity will lead to a loss of privacy
- The proposal will affect the light to neighbouring properties.
- This could set as precedent for other properties.
- Out of character with the area.
- Structure will be used for business activities.
- The height will appear overpowering.
- Extension is close to the boundary fence at the rear.

Comments noted and address in the conclusion.

- The garage proposal retains around 13.2m to the rear boundary and due to the siting of the neighbouring property to the north west it is not considered adversely overbearing upon these elevations.
- The application is based on its own merits and does not set a precedent for the area.
- The application does not propose any use for business activities.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer- The extension appears to reflect the character of the host dwelling and the materials should match that of the existing dwelling. The rear extension will have a neutral impact upon the Conservation Area. No objection was provided. Full comments available online.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary.

Tree Preservation Order.

Conservation Area.

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD2	Conservation Areas

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. As stated in SDSP2 the key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Aldwick does not have a 'made' Neighbourhood Plan however does have a Parish Design Statement with the property within Area 1.

DESIGN AND VISUAL AMENITY

The proposal seeks an alteration to the side of the dwelling and is highly visible from the street scene. The side extension is considered subservient to the main dwelling and will be constructed with matching materials which will help the proposal appear sympathetic in appearance to the host dwelling. The neighbouring property at No.230 has an extension in similar appearance to that which is proposed and therefore the addition is considered in keeping with the area.

The proposal whilst consisting of a substantial amount of work appears to reflect the character of the host dwelling and therefore will have a modest impact upon the Conservation Area and is considered to accord with HERDM3 of the Arun Local Plan.

The development is acceptable in terms of design and visual amenity and would not have an adverse impact upon the spatial pattern or character of the area and accord with DDM1, DDM4 and HERDM3 of

the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed first floor side extension will be located to the south eastern elevation. The extension will increase its depth 3.7m to the rear of the dwelling although will not extend beyond the rear elevation of the property. The extension will provide a first floor balcony with a covered area below and will have a hipped roof to match the ridge height of the host dwelling. The proposed balcony will have screening to restrict any potential overlooking upon the property to the south east. Due to the shape of the boundary there will be a separation distance of 1.1m to the south east and due to its siting and the boundary treatment in place is not considered to give rise to significant overshadowing or overbearing upon the neighbours at this elevation.

The proposal also involves a conversion of the loft space to create an additional bedroom and bathroom and as a result a rear dormer will be constructed. It is relatively large with a depth of 4m extending from the ridge line of the host dwelling. It will have a height of 3m and a width of 3.4m with a gable roof. However, the window serves a staircase/landing area and therefore any overlooking is not considered to be significant. Also due to the siting of the dwelling to the north west which is set around 13m behind that of the host dwelling, it is not likely to give rise to any adverse overlooking at this elevation or to the rear where there is 30m separation to the boundary.

There is currently a detached two storey garage with a length of approx. 7m. with an external staircase to the north west. This will be extended a further 6.5m along the north western boundary. It has a height of 5.1m which is just below that of the existing garage. The proposed extension will be sited along the north western boundary and therefore whilst it will be close to the neighbouring property it is not considered to appear overbearing or overshadowing upon this elevation. This is due to the siting of the neighbouring dwelling around 8m behind that of the front elevation of the existing garage. The proposal therefore only extends around 4.5m past the side elevation of the neighbouring property, which serves a two storey garage also. Again due to its siting, the separation from the boundary to the neighbouring property increases to the rear of the garage from 1m to 3.5m. Whilst it is large in height and depth as a result of the siting of the extension and neighbouring property it is not considered to give rise to an overbearing or overshadowing impact upon this elevation. With 13m to the rear and with sufficient planting, the development is also not considered overbearing upon this elevation.

2 dormers will be installed to the existing garage which will face south east. However with around 15m to the south eastern boundary and substantial planting, it is not considered overlooking will be significant. The extended part of the garage will have a void area to the first floor and therefore whilst there will be 3 velux windows installed due to its height above finished floor level these are not considered to give rise to any overlooking. No windows are Due to the scale of the garage a condition will be included to restrict its use to prevent it being used as a single unit of accommodation in the future.

The proposal as a whole is not considered to give rise to any adverse overlooking, overbearing or overshadowing impacts upon the neighbouring amenity and accord with DDM1 and DDM4 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 - 101 A
 - Location Plan - 100
 - Proposed Plans and Elevations - 103
 - Proposed Perspective View - 105

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

- 3 The outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 229 Manor Way as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies DDM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 The balcony screening shall be constructed as shown on the approved drawing 103 to the

north east and south east elevation to a height of 1.7m and retained in its entirety in perpetuity. The balcony shall also not be used until the balcony guarding is completed.

Reason: In the interests of the amenity of the neighbouring dwelling in accordance with policies DDM1 of the Arun Local Plan.

- 5 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.