

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

REF NO: AW/299/24/HH

LOCATION: 8 Cherry Close
Aldwick
PO21 3BA

PROPOSAL: Demolition of the existing porch and detached garage. New rear/side flat roof extension, front porch extension. Conversion of the first floor roof space with new rear dormer. Installation of 2 x side windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Aldwick Parish Council - No objection.

3 No. objections were received from nearby occupiers raising concerns that:

- The proposals result in overdevelopment and are out of character with the area.
- The development could set a precedent for extensions of other properties in the area.
- The increase in permeable area could increase flood risk.
- The front dormer extension is out of keeping with other properties on the street.
- The rear dormer would be intrusive and overlook neighbouring rear gardens.
- The property will appear flat roofed from the rear and out of keeping with other rooflines.
- The proposed Juliet balcony and first floor windows to the rear are excessive.

Following discussions, the front dormer has been removed from the proposals in order to reduce impacts on the character and visual amenity of the area. The site is not known to be at increased risk of flooding, and drainage of the site will be required to meet the standards set out in the Building Regulations. Issues relating to the design of the proposed rear dormer and its impacts on neighbouring properties are addressed in the conclusions.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIESArun 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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is a detached bungalow at the end of a cul-de-sac. At ground floor level, the alterations include a wraparound rear extension with a replacement garage to the side of the property, and a small porch. The porch extends the existing projection to the front of the property to the south west. The extension does not extend beyond the current furthest extent of the principal elevation. The porch has a crown roof and will be finished with materials to match those of the existing dwelling.

The rear extension is approx. 4.5m deep and brings the rear elevation level with the existing flat roofed projection to the rear of the property. The height of the rear extension element is 3m, matching the height of the existing rear projection. The rear extension will have minimal impact on the character and visual amenity of the property or surrounding area. The attached garage will project from the southwest elevation and will be constructed following the demolition of an existing detached garage which is situated to the rear and side of the main dwelling. The width of the side extension is 3m, gradually widening to 3.9m at the rear. The proposed garage will extend an additional 3m beyond the rear elevation of the dwelling to accommodate a store and w/c to the rear. The height of this side extension element is slightly lower than the rear extension, at 2.6m. The side and rear extensions do not unacceptably alter the scale and massing of the building and are acceptable in accordance with D DM4. The side and rear extensions will be finished with brickwork to match the existing dwelling, helping the addition to integrate in accordance with D DM1.

The rear dormer is 9.8m wide and adjoins the proposed rear extension. Although there are examples of other rear dormers on the street, the design of the dormer conflicts with the Arun Design Guide, which states that dormers should be minor incidents on the roof plane and incorporate a pitched roof in most cases. There is also partial conflict with policy D DM4, as the dormer dominates the original roof form, due to its width and height. However, it is noted that a large flat roofed dormer spanning the width of the roof could be achieved under permitted development rights, without the need for planning permission. Despite the policy conflict, this would not justify a refusal of the application. The dormer will be finished with cladding. Cladding is not currently present on the dwelling, and houses along Cherry Close tend to be finished with a mixture of brick and render. However, the material will be located to the rear of the dwelling and will not be visible in the street scene.

Although there is partial conflict with Part M of the Arun Design Guide and policy D DM4, overall, the development would not compromise or detract from the character of the property or wider area. The development complies with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The extensions are a suitable distance from neighbouring properties and will not result in overbearing or overshadowing effects. The windows proposed are on the rear elevation at ground floor level and will not result in overlooking effects. The attached garage is situated against the south western boundary and is approx. 2.6m high. Although the garage will be visible above the boundary treatments, the height of the garage is modest and will not result in significant overbearing or overshadowing of the neighbouring property. The garage is not a habitable space and there will be no overbearing effects.

The proposed dormer is situated at first floor level. Whilst the roof extension will not give rise to overbearing or overshadowing effects, the dormer introduces fenestration to the rear elevation at first

floor level, which previously had no fenestration. Two windows are proposed, one with three casements and one with two, in addition to a Juliet balcony. The proposed windows will result in some increased overlooking of neighbouring properties. However, given that a similar dormer could be installed without permission as part of the property's permitted development rights, the impact of rear dormer windows would not warrant a refusal. There is also a substantial distance between the property and the rear boundary, which effectively mitigates overlooking impacts on the property to the rear.

Although there may be some increased overlooking effects, the provisions of the General Permitted Development Order indicate that the impact of the rear dormers are generally acceptable. The proposals do not result in unacceptable impacts on neighbouring residential amenity in accordance with D DM1 and D DM4.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatics.

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

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.

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:

- Site Location Plan 1 REV.A 17.01.25
- Proposed Ground Floor Plan
- Proposed First Floor Plan 17.1.25
- Proposed Rear & Side Elevations REV.A 17.1.25
- Proposed Front & Side Elevations REV.A 17.1.25
- Biodiversity Enhancement Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

3 The materials and finishes of the external walls of the side and rear extensions and porch hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.