

Recommendation Report for Planning Permission

REF NO: AW/315/21/PL

LOCATION: Flat 4
Queens Court
Kings Parade
Aldwick
PO21 2QR

PROPOSAL: Alterations to fenestration and openings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to remove an existing white UPVC window and replace it with an aluminium white bi-fold door. The existing windows and doors will also be replaced like for like.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	King's Parade runs along the front (south) boundary of the property, with Princess Avenue being situated to the side (west) boundary. There is a small brick wall that runs around the boundary facing these roads.
SITE CHARACTERISTICS	Dwelling.
CHARACTER OF LOCALITY	The character of locality is residential.
None.	

REPRESENTATIONS

Aldwick Parish Council - No Objection

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Built Up Area Boundary
 Pagham Harbour Zone B
 2km Buffer for Site of Special Scientific Interest
 CIL Charging 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

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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Guidelines set by the Arun Design Guide are additionally considered.

Aldwick does not have a Neighbourhood Plan but instead has a Design Statement. Being an alteration to the external appearance, the proposal is considered to comply with this statement.

DESIGN AND VISUAL AMENITY

The proposal is located to the south elevation of the property, and will be visible from the street scene.

As the proposal only requests external alterations to the property, the height and footprint of the structure will be retained. The white UPVC window will be replaced with a white aluminium bi-fold door, maintaining the same height and width as the window. This will minimally alter the appearance of the building, and will have no adverse impact on visual amenity. The proposal is not considered to have a detrimental effect on the composition of the street, with no change being made to the building line of the property, and is in keeping with the character of the area. Although able to be seen from the street, the alteration does not give rise to visual intrusion and integrates well with the existing.

The proposal complies with the Arun Design Guide in that the proposal responds to and complements the existing character and appearance of the dwelling.

The proposal is subservient to the design of the original building and the materials used match that of the existing. The alterations proposed will have very little impact on design and visual amenity.

Although able to be viewed from the street, the works proposed are in keeping with the local character of the area and have minimal impact on visual amenity. The proposal is in accord with D DM1 and D DM4 of the Arun Local Plan, and with guidelines set by the Aldwick Design Statement.

RESIDENTIAL AMENITY

As the alterations proposed do not result in any change to the footprint or height of the buildings, the proposal is not considered to result in adverse overbearing or overshadowing of neighbouring properties. The works comply with D DM4 and are not considered to result in any harm to residential amenity.

The location of the existing windows and doors are retained, with the proposed works only significantly altering one set of windows. The doors will allow for greater visibility than the existing window, but as they do not face towards any neighbouring properties, fronting the street scene, it will not have a detrimental impact upon neighbouring amenities. The works result in no overshadowing, overbearing or overlooking of neighbouring properties.

The proposal is considered to pose minimal impact to residential amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with 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.

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:

- Location and Block Plan - E-001
- Existing and Proposed Floor Plans - E-002
- Existing Building Footprint - E-003
- Existing and Proposed Elevations - E-004

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 **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.