

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

REF NO: AW/31/26/HH

LOCATION: Bayswater
50 Kingsway
Aldwick
PO21 4DN

PROPOSAL: Side facing first floor extension. (This application may affect the character and appearance of the Craigweil House, Aldwick Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AW/29/23/HH	Re-roofing of the existing front porch and continuation of the roof to form a covered area. (This application may affect the character and appearance of the Craigweil House, Aldwick Conservation Area).	ApproveConditionally 06-04-23
AW/283/19/HH	Conversion and extension of the existing garage to form an annexe for a dependant relative and conversion and extension of the existing carport to form a replacement garage with lantern roof light - resubmission of approved application AW/170/19/HH for a larger garage space.	ApproveConditionally 26-11-19

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:
Coastal Protection Engineers - No response received.

DEVELOPMENT PLAN POLICIES
[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND AND VISUAL AMENITY**

The site includes a semi-detached, with rear extensions and a converted garage. The proposal is for a first floor side extension.

Part M of the Arun Design Guide advises that no side extension should extend beyond the 70 degree line from the plot boundary to avoid any undesirable terracing effects. While the first floor side extension would be in breach of this guidance, however minimally, the host dwelling is set in from the neighbouring dwelling by approximately 3.5m, ensuring the extension does not create this terracing effect.

The extension would be set down 0.35m from the ridge of the host dwelling, with a width of 3.4m and a depth of 5m. The extension would be set in by a minimum of 1.1m from the eastern side boundary, thus the spacing would not strictly comply with the 2m suggested in the Arun Design Guide (ADG). The bulk of the neighbouring dwelling is set in approximately 2.5m in from the site boundary, with only the non-habitable garage abutting the site boundary. As such, the proposed spacing retained between the host dwelling and the eastern side boundary would be acceptable in this instance as it would not result in a terracing effect.

Given that the extension is set back and in from the front and side elevations, set down from the ridge and would have a frontage considerably less than 70% of the existing dwelling, the proposal would be a subservient addition to the host dwelling, responding well to existing built form in terms of scale and gaps between dwellings. Constructed from matching materials, the extension will integrate well, resulting in no harm to visual amenity.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The side extension may result in some minor overbearing impacts, given that 52 Kingsway has two windows set towards the rear of the western flank elevation, facing the application site. Given that the host dwelling is set considerably lower than 52 Kingsway, and that the side extension would have a lower ridge height consequently, any overbearing impacts would not be unduly harmful.

Similarly, the extension is not likely to result in undue harm by way of overshadowing by virtue of the orientation of the host dwelling; later in the day, the extension would be screened from the sun by existing built form and would therefore have a very limited impact in this regard.

The extension would have two windows, one on each of the front and rear elevations at first floor level. The window on the rear elevation, that would serve the bathroom, would have obscure glazing, therefore resulting in no impact in regard to overlooking. While the obscure glazing is positive, it is not considered appropriate to secure this via condition, given that any views to neighbouring gardens available would be limited and oblique. The window proposed on the front elevation would offer views of the highways and frontages of dwellings along Kingsway; these views could be achieved from the highway or front first floor windows, resulting in no harm by way of overlooking.

HERITAGE

The property is located within the Craigweil House, Aldwick Conservation Area. The Conservation Area Statement prepared by Arun District Council states that dwellings on Kingsway "illustrate distinctive individual designs, expressing a character of grandeur in many instances. The design and style of the properties do vary, illustrating the time periods within which the individual properties were constructed." It is established, therefore, that individuality in design and distinctiveness is commonplace in the conservation area.

Paragraph 207 of the National Planning Policy Framework (NPPF) requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 212 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The extension would be constructed from matching materials to the host dwelling, ensuring the established character of the host dwelling, and its contribution to the conservation area, are retained. As detailed above, the extension would be a subservient addition, maintaining an appropriate gap between dwellings.

The proposal would be considered to have a neutral impact on the heritage asset and is therefore in accordance with Arun Local Plan policy HER DM3 and the NPPF.

COASTAL PROTECTION

The site lies within the Pagham Beach Estate where the Pagham Interim Development Framework applies. The proposed first floor extension would fall within category 3 of the Framework (all developments - new structures) and is permitted. Developments which increase occupation will not be supported within the Pagham Beach Estate, as the area is vulnerable to increased risk of erosion and flooding due to the dynamic local coastal processes.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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 Site Plan
 - Proposed Elevations A
 - Proposed First Floor Plans A
 - Heritage Statement
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1, D DM4 and HER DM3.
- 3 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).
- 4 **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

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 NPPF.