

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

REF NO: AW/35/22/HH

LOCATION: 49 The Drive
Aldwick
PO21 4DS

PROPOSAL: Erection of single storey rear extension and conversion of loft to habitable use following the demolition of existing rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension following the demolition of an existing conservatory. The roof of the dwelling will also be converted to habitable accommodation.

REPRESENTATIONS

Aldwick Parish Council provided no objection and noted the tree officer be consulted.

5 letters of objection from nearby occupiers

- The loft conversion will result in a direct line of sight into my bedroom at a close distance.
- The building is too dominant.
- The build is not subservient.
- It does not enhance the Conservation Area.
- The scale is staggering and adversely affects neighbouring properties.
- Concerns about the amount of glass and possibly loss of privacy.
- Overbearing.
- It would permit an unacceptable level of overlooking.
- It would adversely affect the street scene.
- Does not meet Arun Council requirements.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up are boundary
Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DSP1	D SP1 Design
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:

SPD10	Aldwick Parish Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1, D DM4 and HER DM3 of the Arun Local Plan and the Arun Design Guide.

Aldwick does not have a Neighbourhood Plan although does have a Parish Design Statement with the property located within Area 2.

DESIGN AND VISUAL AMENITY

The extension is to the rear and as a result there will be little to no view of the extension from the street scene and wider area.

The property is a detached chalet bungalow with rear conservatory. This will be removed and replaced with a single storey extension. It will have a pitched roof that will slope in line with the hip end of the dwelling. It is well integrated and matching materials will be used which helps ensure the development blends in well with the host dwelling.

The development will add bulk to the rear elevation as a result of the design of the roof however the total depth of the extension does not extend beyond that of the conservatory. The height is also set below that of the main dwelling and as such is subservient to the host dwelling.

The Arun Design Guide states 'Rear extensions must also preserve garden areas and not lead to an unacceptable reduction in garden size below a depth of 10.5 metres'. The proposed does not comply with this however the garden depth was already shallower than guidance recommends and the extension does not increase in depth from the existing structure. 'Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form'. Whilst the addition is large as a result of the gable end roof, the scale and materials are appropriate to the dwelling.

With limited to no viewpoints from the street scene, the proposal will not result in harm to the character or appearance of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

There is a conservatory which will be removed and replaced with an extension with a depth of 4.4m. This will increase in width and will incorporate a utility room and run along approximately half of the rear

elevation of the dwelling.

The roof is pitched with eaves to a height of 2.5m. This matches the host dwelling and the ridge will extend to 5.6m which meets with the ridge of an existing hip at the property. This sits below that of the maximum ridge of the dwelling.

The extension is tall and with a gable end roof, it will result in some overbearing and being located to the east, will also result in some overshadowing on the neighbour at No.51. This is not significant, with the depth of the extension not increasing from that which is already there and it does not intersect a 45 degree angle from the window closest to the boundary.

The extension retains 10m to the boundary at the west which is sufficient to ensure no adverse harm.

The extension will be visible from the property to the rear at No.40a although with separation retained, it does not appear adversely overbearing on this property. Some views will be achievable from the neighbour at No.40 although these are partially restricted due to tree cover.

The rear elevation of the extension will feature glazing to the gable. With no first floor level in the extension there will be no views achievable at this height towards the properties to the rear. The loft will be converted for a habitable space although internally a wall will remain which restricts views from this bedroom through the first floor glazed element. A condition will be included to ensure this is kept in place and should any change in the future be intended this can be assessed through an application.

There will be 3 rooflights installed to serve the bedroom and bathroom although due to their position will not result in adverse overlooking. There is an existing dormer serving the bedroom which will overlook the street scene.

The development will not result in significant harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

IMPACT ON THE CONSERVATION AREA

The site falls in the Craigweil Conservation Area.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage asset in this case is of some significance.

Para 195 requires the LPA consider the significance of the impact on that heritage asset. The proposal will have limited impact on the significance of the heritage asset. This is a result of the siting of the proposal which is to the rear of the property and as such views are limited from the wider Conservation Area. Materials consist of red brown brick which matches the host dwelling and is integrated with the existing design of properties within the area.

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Whilst the proposal does alter the appearance of the building, the proposal is not considered to materially affect the character or detract from the visual appearance of the Conservation Area and is not considered to harm the significance of the heritage asset in accordance with HER DM3 of the Plan.

SUMMARY

The proposed development is deemed to comply with relevant development plan 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.

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 Plan
- Elevation and Site Plan 163/01
- Ground Floor Plan - 163/02
- First Floor Plan - 163/03
- Sections - 163/04

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 No first floor shall be constructed in the extension unless and until plans have been submitted

to and approved by the Local Planning Authority.

Reasons: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 4 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.