

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

REF NO: AW/367/21/HH

LOCATION: 31A The Drive
Aldwick
PO21 4DT

PROPOSAL: First floor rear extension and replace rear window with door. (This application may affect the character and appearance of the Craigwell House, Aldwick Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a first floor rear extension. A window will also be replaced with a door to the ground floor.

REPRESENTATIONS

Aldwick Parish Council provided no objection.

No representation were received from nearby occupiers. An email was received to say a representation had been received from CHECA (a local amenity group) but no representation appeared on the system. The writer was contacted asking if they could email the representation but this did not happen.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

POLICY CONTEXT

Built up area boundary
Conservation Area
TPO

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

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
SPD2	Conservation Areas

CONCLUSIONS**PRINCIPLE**

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

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 proposal is located to the rear of the property and is not visible from the street scene.

The dwelling is a detached two storey property with a single storey element to the rear western side. A first floor is proposed above this. This addition appears subservient to the host dwelling and sits below the ridge height of the dwelling, appearing well integrated with the design of the dwelling.

The roof will be hipped and runs in line with roof slope which has a cat slide roof to the western side. The design appears sympathetic to that of the host dwelling and is appropriate in scale and massing.

The Arun Design Guide states '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'. 'Positioning extensions below the roof ridge line of the existing property will also help to create visual subservience'. The proposal complies with this, being an appropriate size and appearance which complements the design of the host dwelling.

The proposal complies with the guidelines noted in the Aldwick Parish Design Statement which states 'materials matching the existing building should be used where appropriate'.

Due to the location at the rear of the property, the first floor addition will not result in harm upon the appearance of the street scene in accordance with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The existing single storey rear element will have a first floor constructed above. This does not extend beyond the existing footprint. This has a length of 6.75m. The height will increase from 4.75m to 6.7m which is an increase of 1.95m. This retains 9.3m to the eastern boundary and is not deemed to result in overbearing or overshadowing upon this elevation.

To the western side, the neighbouring property is single storey and does have some windows to its side elevation. The addition will give rise to some overbearing impact however with approximately 1.7m retained to the western side, the impact is not considered so significant to result in a refusal. The proposal also does not extend beyond the rear of the neighbouring building line.

There is one window proposed to the east side elevation and northern rear of the extension. The window to the east, due to its position has the possibly to overlook the garden of No.30 and potentially into direct

windows. As such it will be obscured glazed and this has been demonstrated on the plans. It is not necessary to require it to be fixed shut as any opening of the window would generally be temporary and only allow limited views. The window to the rear will overlook the garden and views are not considered significant with rear garden depths a sufficient distance.

To the ground floor, a rear window will be replaced with a door. This opens out onto the rear of the host dwelling and will not give rise to overlooking.

The proposal 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 CONSERVATION AREA

The property is located with 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 are of some significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. Due to the siting of the proposal, to the rear of the property, the development is not visible from the Conservation Area. The design and materials are in keeping with the host dwelling and with no available views, the proposal will not result in harm upon the heritage asset in accordance with HER DM3 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord 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 - 005
 - Existing and Proposed Elevations - 003
 - Existing and Proposed Elevations - 004
 - Proposed Floor Plans - 002 A

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 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

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

- 4 The first floor window on the eastern elevation of the building shall at all times be glazed with obscured glass.

Reasons: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun District 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.