

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

REF NO: AW/380/21/HH

LOCATION: 130 Nyetimber Lane
Aldwick
PO21 3HR

PROPOSAL: Removal of existing side projections and erection of two storey and single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks construct a first floor above an existing garage. To the rear an existing projection will be removed and replaced with a single storey extension.
----------------------------	---

REPRESENTATIONS

Aldwick Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary

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)

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

PRINCIPLE

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

Aldwick does not have a Neighbourhood Plan although does have a Parish Design Statement. The property is located within Area 7.

DESIGN AND VISUAL AMENITY

The host dwelling is detached two storey property with an attached garage and a first floor is proposed above the garage. being located to the side of the property, is highly visible from the street scene.

Due to the siting of the first floor, this would conflict with D DM4 (d) in that the first floor would result in relatively small gaps at first floor level between buildings, in that it comes within 1m at first floor level to the side boundary. However, it is not considered this is would result in a significant impact in which a refusal is justified. This is due to the mixed character of the properties within the street scene which feature a variety of gaps between properties and not result in a terracing effect.

The first floor addition will have a hipped roof which sits below that of the ridge height of the dwelling and as such appears a subservient addition. Materials proposed will consist of matching roof tiles and white cladding to the first floor addition. Whilst cladding is not present within the street scene, its use is not considered to appear out of character and being white in colour will be sympathetic to that of the host dwelling.

The Arun Design Guide states ' Extensions should in most cases be set down from the existing roof ridge height by a minimum of 0.5 metres, and should have a building frontage no greater than 70% of the existing building . The proposal complies with this. 'In streets characterised by small gaps between buildings, extensions must not close important gaps in the street scene by leading to a terracing effect. This can generally be ensured by keeping extensions at least 1 metre away from the side boundary.' It does conflict with this element of the guide.

The single storey element will infill the rear of the garage meeting with an existing conservatory. This is modest in size and not visible from the wider area.

The Aldwick Design statement refers to 'New or replacement buildings or extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby. The proposal complies with this.

Whilst the proposal will result in the extension being located within 1m of the neighbouring side, it is not considered this results in the a significant terracing effect in which the dwelling appears out of character with the area. As such it complies with D DM1 and D DM4 (a)(b) and (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

Due to the siting of the first floor addition to the side of the property it does not appear overbearing or overshadowing upon neighbouring amenity to the northern side. The addition does not extend beyond the building line or intersect a 45 degree angle when draw from the closest window at first floor level. There are also no windows to the side elevation of No.128 which would be affected.

To the ground floor there is an existing extension located from the centre of the rear elevation extending south. There is an addition attaching this, serving a toilet which will be removed. The proposal essentially infills this space with the extension meeting with the side elevation of the dwelling and rear of the garage.

The extension will have a flat roof height of 2.7m and extend in line with a conservatory located to the neighbouring side. The extension may give rise to some minor overshadowing although with a modest height and boundary treatment in place, and with the conservatory featuring glazing to all elevations, this

is not significant.

There will be an additional window to the front and rear at first floor. This will provide additional views over the rear gardens although views are not considered to increase significantly from that which can already be achieved.

There will be a door to the rear of the ground floor extension with no windows to the side elevation.

The proposed development is not deemed to result in adverse harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 (c) of the Arun Local 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 and Block Plan and Proposed Ground Floor Plan - Sheet 1 of 4
- Proposed First Floor and Elevation - Sheet 2 of 4
- Proposed Roof Plan - Sheet 4a of 4

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.