

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

REF NO: AW/383/21/HH

LOCATION: 22 Gossamer Lane
Aldwick
PO21 3BY

PROPOSAL: Retrospective application for erection of outbuildings in rear following demolition of existing.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks retrospective permission for the construction of an outbuilding to the rear of the property. This largely replaces existing development.
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REPRESENTATIONS

Aldwick Parish Council provided no objection although noted permission should have been applied for before starting works.

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
SPD10	Aldwick Parish Design Statement

CONCLUSIONS

PRINCIPLE

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

Aldwick does not have a made Neighbourhood Plan although does have a Parish Design Statement with the property located within Area 6.

DESIGN AND VISUAL AMENITY

The property is located to a corner fronting Gossamer Lane with St Richards Way running along the east.

The proposal is located to the rear garden although due to its height and with the site located to a corner, the development is partially visible from the street scene to the eastern side.

There were existing outbuildings and the proposal largely replaces these in terms of its footprint.

The addition will form a pitched roof garage to the south western side of the dwelling and extend along the western boundary forming a hipped roof outbuilding. This is largely the same footprint as existing although the garage will increase in width 1.15m to meet with the rear corner of the dwelling to form an access corridor to the main outbuilding.

Materials consist of brick which match the host dwelling ensuring its integration with the development on site.

The proposal is large although there is sufficient garden space retained as not appear as an overdevelopment on site.

Whilst joined to the host dwelling, there are no alterations proposed to the main house on site.

The Arun Design Guide states ' Responds to the existing scale and massing of the surrounding built environment, emulating this scale in the majority of cases'. 'Avoids insensitive extensions and alterations which deviate from the general scale and massing of the surrounding area.' The proposal partly complies with the guide. The development does deviate from the general scale of development in the area with no similar examples of large outbuildings, however the proposal replaces existing structures to the same height and is acceptable in this case.

The Aldwick Parish 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 does relate to the existing building that it replaced being of largely the same footprint although is higher than surrounding rear development and partly complies with the statement.

The proposal whilst partially visible from the street scene, does not give rise to adverse harm upon the street scene or impact the character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The development forms a pitched roof garage which fronts the road and extends along the western boundary forming an outbuilding with a height of 4.05m along the boundary with eaves to 2.6m. This increases to a maximum of 5.1m to the ridge of the hip, which at its highest point, sits around 4m from the western boundary. This extends above the fence line and will be highly visible, providing some overbearing upon the occupiers at No.24.

This however does not increase in height when compared to the structure that it has replaced. Additionally, the roof serving the rear element of the outbuilding has altered from a gable end to hip end and therefore the design reduces the visible dominance its has upon No.24 when compared to the previous outbuilding. As such with the development being largely replacement in nature, with the height remaining the same as that which previously existed and with it sloping away from the boundary, it is not considered to result in adverse overbearing or overshadowing upon the neighbouring property at No.24.

To the rear elevation, the outbuilding extends along the northern boundary with a depth of 11m. There is a neighbouring property to the north and the outbuilding runs along its full side elevation. There are two windows located to the ground floor which are impacted by the outbuilding although with the height and footprint remaining as existing the harm created has not increased and is not considered significant.

There will be one window to the north and western elevation although with it positioned at single storey level and with boundary treatment in place it will not give rise to overlooking. Additional windows and doors will overlook the garden of the host dwelling facing east.

The proposal will give rise to some overbearing although as a result of the design does not increase from that which was already achieved from the existing outbuildings and the level of harm is not considered significant in accordance with D DM1 and D DM4 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 approved shall be carried out in accordance with the following approved plans
- Proposed Plans and Elevations - PL02

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.

- 2 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 22 Gossamer Lane as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM4 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.