

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

REF NO: AW/39/21/HH

LOCATION: Jefferson
41 Aldwick Avenue
Aldwick
PO21 3AQ

PROPOSAL: Single storey rear extension and replacement rear bay window at first floor level

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Erection of single storey rear extension 7.5m in length and 2.2m in depth.

RELEVANT SITE HISTORY

AW/64/04/	Demolition of existing garage & sun room with observation room over & build new garage & study with bathrooms and enlarged bedroom over	ApproveConditionally 13-05-04
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REPRESENTATIONS

Aldwick Parish Council - No Objection

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:
2km Buffer Zone SSSI
Pagham Harbour Zone B

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
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CONCLUSIONS

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Aldwick Village has a Village Design Statement, which Area 14 covers the application site.

Part M of the recently adopted Arun Design Guide provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Key areas of concern;

- Design and Visual Amenity
- Overlooking, Overbearing and Overshadowing

DESIGN AND VISUAL AMENITY

A modest extension is proposed measuring approximately 7.5m in length by 2.2m in depth by 2.85m in height and a replacement box bay window is also proposed a first-floor level.

The proposal is to be built with materials which match in colour and style to the existing and an eaves height significantly lower than the 2-storey dwelling. The proposed fenestration is to have a modern feel and does not including the traditional glazing bars, instead opting for large picture windows both at ground and first floor levels. Although the departure from the more traditional windows does appear slightly incongruous is it not enough to warrant refusal of the application, especially as extensions to the rear of a property are less visually intrusive to the locality. The extension is to be built inline with an adjoining neighbour's conservatory to the West, and nearly 3m away from the boundary with the neighbours to the East therefore the extension will accord with the 45 degree rule set out within the design guide.

With regards to the design and visual amenity, the proposal is not deemed to adversely impact the existing house in accordance with DDM1 and DDM4 of the Arun Local Plan and the Arun Design Guide.

OVERBEARING, OVERSHADOWING and OVERLOOKING

The proposed extension will be built in line with a neighbouring conservatory to the West and nearly 3m from the boundary with its Eastern neighbours, therefore it is not deemed to be overbearing. Additionally, the first-floor replacement bay is to have a similar scale to the existing bay window and be set back from the proposed external wall on the ground floor and therefore is not deemed overbearing.

With a south facing aspect, and because of its positioning alongside adjacent extensions, the proposed extension will not excessively overshadow the neighbouring properties and therefore is considered acceptable in these terms.

As the proposed fenestration at ground floor level faces on to private amenity space to the rear, and the proposed first-floor bay window is to replace a similar existing feature, no additional views other than those already obtainable on site will be possible and therefore it is considered that there will be no negative impact from overlooking.

It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accord with policy DDM4 of the Arun Local Plan and Part M of the Arun Design Guide.

SUMMARY

The proposed development is deemed to accord with the relevant development 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required

(dependant on any exemptions or relief that may apply)

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;

-DPA-02 Proposed Plans and Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 and DDM4 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.