

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

REF NO: AW/39/26/HH

LOCATION: 5 Cheveley Gardens
Aldwick
PO21 4NF

PROPOSAL: Single storey garden room with skylight and alterations to garage fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AW/181/18/HH	Single storey extension	ApproveConditionally 08-10-18
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REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built-Up Area Boundary.
Within an area with potentially high groundwater levels.

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)

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The application site comprises a semi-detached dwelling with a single semi-detached garage to the located to the east of the property at 5 Cheveley Gardens, Aldwick.

The proposal seeks planning permission for the construction of a single storey garden room to the rear of the existing garage, together with the repositioning of a window within the garage.

The proposed outbuilding would measure approximately 5m in width and 7.8m in depth on its western elevation. The eastern elevation would be angled to follow the line of the side boundary fence and would measure approximately 8.2m in depth. The building would have a flat roof form with a maximum height of approximately 2.8m. A small entrance porch, measuring approximately 2m in width and 1m in depth would project from the western elevation. The external materials would comprise cladding and uPVC windows.

Fenestration on the western elevation would consist of an entrance door and a window. A high level window and a further window are proposed on the eastern elevation. In addition, a single rooflight is proposed within the flat roof section.

The proposed external materials would not match those of the host dwelling or the existing garage and, as such, would not visually integrate with the host property, which is contrary to the guidance set out within the ADG. However, it is noted that cladding is a commonly used material for garden rooms and ancillary outbuildings. Given that the proposed structure would be a standalone, ancillary building located to the rear of the site and not readily visible from the public realm, the departure from the ADG would be acceptable in this instance.

The development would not result in the overdevelopment of the site, given its modest scale and ancillary nature, and it would remain linked in use to the host dwelling. As such, the proposal would not result in harm to the character or appearance of the host property, the street scene, or the wider surrounding area. Notwithstanding this, it is reasonable to attach a condition to this planning permission to ensure the garden room remains ancillary to the host dwelling, to prevent its use as a separate unit of accommodation, which could otherwise result in over-intensive use of the site.

The proposal also includes alterations to the fenestration of the existing garage. The existing north facing window would be removed and infilled with matching brickwork, and a new window would be inserted into the western elevation.

Overall, the proposal would not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development would be in accordance with Arun Local Plan policy D DM1.

RESIDENTIAL AMENITY

The proposed development would be set in approximately 7.8m from the western side boundary. To the south, the development would be screened by the existing garage, which fronts the highway. To the east, the proposed garden room would be set in approximately 0.3m from the eastern side boundary, with an alleyway and boundary fence providing further separation from the neighbouring dwelling. Given the site context, together with the single storey form of the development, the proposal would not result in any

overbearing or overshadowing impacts, or loss of light to neighbouring properties.

Fenestration within the eastern elevation would be limited in size and would be separated from the neighbouring dwelling by two boundary fences, with additional screening provided by existing vegetation within the neighbouring garden. The fenestration within the western elevation would face into the application site, set in 7.8m from the western side boundary. Due to their ground floor position and the level of separation, these openings would not result in unacceptable overlooking or loss of privacy to neighbouring occupiers to the west or east.

The proposed alterations to the fenestration within the existing garage would not result in any material residential amenity impacts. The repositioned window would have an outlook toward the private amenity space and would not introduce any new or additional overlooking opportunities when compared with the existing arrangement.

The development would not result in harm to neighbouring amenity, in accordance with Arun Local Plan policy D DM1 and the ADG

PARKING

The application site is located within Parking Zone 4. In accordance with the Arun Parking Standards (APS), dwellings with four bedrooms or more are required to provide 2 parking spaces. It is noted that the existing garage has been partitioned and, as such, does not provide adequate depth or width (6m x 3m) to accommodate a vehicle and therefore does not currently contribute toward on-site parking provision.

Notwithstanding this, the existing driveway is of sufficient size to accommodate at least one vehicle, and there is additional on-street parking availability within the surrounding area. Given this availability, the shortfall in on-site parking provision relative to the APS would be acceptable in this instance and would not result in harm to highway safety or parking capacity in the local area.

SUMMARY

The proposal is in accordance with the relevant development plan policies. As such, it 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

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 not CIL liable.

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
- Proposed Block Plan
- Proposed Elevations 02
- Site Plans 03
- Proposed Floor Plan 04
- Section AA

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 The garden room hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 5 Cheveley Gardens, and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 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.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.