

REPORT UPDATE

Application No: AW/3/21/HH

Reason for the Update / Changes

Reason for Update/Changes:

An amended elevation plan was submitted 22/2/21. This reduced the height of the planter to the front elevation.

Additional representation received

6 letters for objection

- It is felt the obscure glazing is not sufficient due to the height of the floor which will need to be altered to enable the conversion.
- Bathrooms windows should be conditioned to obscured glazed.
- Support regarding the covenant was withdrawn.
- Views will be spoilt.
- It will block the sun.
- The dormers are over domineering.
- The character and appearance will be demolished.

3 letters for support

- I don't believe it will have a negative impact and would add value to the estate.
- Care has been taken to align alterations with that already on the estate.

3 letters of representation received from agent and applicant

- Under PD rights, plain glass was used to the rear and this application the obscure glazed proposed, helps reduce views.
- Privacy is maintained through the obscured glazing.
- Dormers are slightly larger than that under the CLP.
- Restrictive covenants whilst not a planning matter, have been given authority to proceed.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: AW/3/21/HH

LOCATION: 4 Shorecroft
Aldwick
PO21 4AS

PROPOSAL: Single storey rear extension and loft conversion with enlarged rear dormer window and two modest front facing dormer windows. Alterations to fenestration, Canopy to side elevation, Planter and replacement handrail to roof terrace.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks a number of alterations to the property. This includes a single storey rear extension, a rear and two front facing dormers. There will also be alterations to the external materials and balcony balustrading to the front elevation and the addition of a canopy.

RELEVANT SITE HISTORY

AW/264/20/CLP	Lawful development certificate for a proposed single storey rear extension and loft conversion with rear dormer window and rooflights.	PP Not Required 30-11-20
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REPRESENTATIONS

Aldwick Parish Council provided an objection.

- Not subservient to the dwelling.
- It would deprive residents of privacy.
- Conflict with DD M4 (a)(b)(c) and (e) and Parish Design Statement.

15 letters of objection from nearby occupiers:

- The design does not take into account the appearance of the area.
- Object to the rear dormer.
- Out of keeping with the small private estate.
- Out of scale.
- Overbearing.
- The dormer will provide overlooking and a loss of privacy.
- All of rear windows should be obscured not just to 1.7m.
- The proposal would dominate the locality.
- It will create a 3 storey property where there are none.
- It will set a precedent for the area.
- By permitting the dormers, it would destroy that which has been preserved in the area.
- North facing windows should be permanently fixed shut and obscured.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

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

PREVIOUS APPLICATION

AW/264/20/CLP - Lawful development certificate for a proposed single storey rear extension and loft conversion with rear dormer window and rooflights was approved in November 2020.

This effectively granted planning permission for a rear extension, rear dormer and rooflights to the front elevation. It is therefore the case that the same elements proposed within this planning application are Permitted Development (PD) and do not require permission. The rear dormer as proposed in this application is larger than that under the CLP application but is still exempt from planning permission as it continues to accord with PD requirements.

The further alterations proposed as part of this planning application and requiring permission includes two front facing dormers, an open canopy to the side elevation, cladding and alteration of balcony material and a planter to part of the front boundary. It is these elements only that should be considered in an assessment because other elements can be carried out without the need for planning permission.

PRINCIPLE

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

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 does not have a Neighbourhood Plan although does have a Parish Design Statement with the property located within Area 4.

DESIGN AND VISUAL AMENITY

The proposals seek a rear extension and dormer. There are also two front facing dormers proposed and alterations to the external elevations including the addition of cladding and obscured glazing to the existing balcony.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Section M refers to householder extensions.

Development should respond to and complement the existing character and appearance of the building and wider townscape. The scale, massing and positioning of extensions should be visually subservient to the existing property and it should take a simple and unobtrusive form which does not overpower the existing or neighbouring properties, while taking the opportunity to incorporate innovative design.

It is considered the proposal complies with the Design Guide. The scale of the development appears appropriate with the bulk of the development, which includes the extension and dormer, located to the rear of the property and as such are largely restricted from views.

The extension will be rendered to match the appearance of the host dwelling. The front facing dormers, whilst not a part of the existing character of the area are considered to appear well integrated in the roof slope and innovative consisting of glass elevations which helps to reduce an unduly dominant appearance.

There is an existing balcony to the front of the property which consists of iron balcony railings. This will be replaced with an obscured glazed screen. This material differs to the neighbouring properties which are similar in appearance to the host dwelling, however it is considered the balcony screening improves the appearance of the dwelling and is appropriate for its location.

White cladding is also proposed. Whilst this material is not present within the estate, the colour is similar to that of surrounding properties and it is not considered its addition to the first floor elevation would result in significant harm to the area.

With the proposal introduces dormers into the street scene and with the addition of cladding, it could be argued the development is slightly out of character for the area however it is not considered the changes result in significant harm upon the spatial pattern or character of the street scene in such a refusal is justified.

As such, the development is considered to comply with D DM1(1) and D DM4 (a) and (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

The single storey extension will have a depth of 4m and runs along the full rear elevation, replacing a conservatory. It will have a flat roof to a height of 2.85m. Whilst this extends beyond the rear of neighbouring properties, with 1.2m and 3.3m retained to the side boundaries, it is not considered to result in adverse overbearing. A 4m extension could also be constructed under permitted development in this location.

The rear dormer will have a depth of 3.2m and a height of 2m and will feature 3 windows. With a garden depth of 8.5m it would give rise to views to properties at the rear, however, the windows will all have obscured glazing to a height of 1.7m. This is considered sufficient to ensure that the views available to the rear will be largely restricted. As a result of the screening, it is not considered views available from the rear facing dormer windows will be significant and will not result in adverse overlooking upon the properties to the rear at Wallfield.

The dormers to the front will give rise to additional views, although these will be over the street. The obscured glazed screening to the front balcony will help to reduce views that are available across the street scene when sitting on the balcony.

There will also be a canopy which features timber posts with a glass roof to the west side of the property, to the rear of the garage. This will have a height of 2.85m and is situated forward of the steps which are used for access to the front facing balcony. Being open in appearance, is not deemed to result in harm upon amenity.

Due to the design of the proposal, it is not considered to result in adverse harm upon neighbouring 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 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 and Block Plan - 1062H - 00
 - Proposed Elevations - 1062H - 04
 - Proposed Floor Plan - 1062H - 03A
 - Roof and Loft Plan - 1062H - 05
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 rear dormer hereby approved shall have non-opening and fully obscured windows prior to the first use of the rooms. The windows shall be retained as obscure glazed/non-openable in perpetuity.

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.
- 4 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.