

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

REF NO: AW/44/22/HH

LOCATION: 40 Barrack Lane
Aldwick
PO21 4DB

PROPOSAL: Erection of single storey rear extension and replace conservatory flat roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey rear extension, following the removal of an existing store, and replace an existing conservatory flat roof.

RELEVANT SITE HISTORY

AW/397/21/PDH	Notification under extended permitted development rights for a single storey flat roof rear extension measuring 7.20m from beyond the rear wall of the original dwelling house, with maximum height of 2.90m and eaves height of 2.90m.	Objection 18-01-22
AW/202/97	Single & two storey extension to existing property	ApproveConditionally 20-01-98
AW/150/00/	Erection of a conservatory at the rear of the house.	ApproveConditionally 08-09-00

REPRESENTATIONS

Aldwick Parish Council - No Objection

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Tree Officer - No response

POLICY CONTEXT

Built Up Area Boundary

TPO

Pagham Harbour Zone B

2km Buffer for Site of Special Scientific Interest

CIL Charging Zone 4

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:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

BACKGROUND

An application for the single storey rear extension (AW/397/21/PDH) was refused in early 2022. This was due to the proposal extending more than 8m from the rear elevation of the property, and as such was not acceptable in terms of Permitted Development, requiring planning permission in order to be constructed.

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Part M and general criteria set by the Arun Design Guide is also considered.

Aldwick does not have a Neighbourhood Plan but does have a Parish Design Statement which is relevant to this application. The property is located in Area 3 (Barrack Lane).

DESIGN AND VISUAL AMENITY

The proposal will be situated to the rear of the property, of which is a two storey detached dwelling, and as such will not be visible from the public realm.

The proposal includes the construction of a single storey rear extension, and replacement of an existing conservatory roof. The extension extends from the rear of an existing side annexe, and will replace an existing detached store, measuring 4.45m wide and 7.125m deep. It will have a flat roof which, although differing to the gable and pitched roofs of the host, will not be unduly out of character, and will not have adverse impact on the visual appearance of the property. The dwelling itself is situated in an area composed primarily of detached two storey dwellings, all of differing style and design, and set back from the street. Being to the rear, the proposal will not be visible from the street scene and will have no impact on the composition or appearance of the area. It is therefore in keeping with the character of the locality

and will not have unacceptable harm on visual amenity.

The conservatory roof will replace an existing hipped roof, and will be flat, matching that of the proposed rear extension. This will differ to the existing and gable roof of the host but will have minimal harm on the visual appearance of the property. It will not be visible from the street scene and will have no harm on the character or composition of the area.

The proposal appears subservient to the design of the host and will not look unduly out of place. It will use materials matching that of the existing where possible, the flat roof membrane being the only exception, which will ensure there is minimal intrusion on visual amenity. Aldwick Design Statement states that extensions should be visually subservient to the main building and must sympathetically relate to and be visually integrated with, the existing building in siting, design, form, scale, and materials. The proposal will not have adverse impact on visual amenity and is in keeping with the character of the property, and the locality. This is in accord with the Design Statement.

Part M of the Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. Despite having a flat roof, the proposal will have minimal impact on visual amenity, and is respectful to the design and character of its context. It retains a sufficient amount of garden space, and is in accord with Part M.

The proposal will not have adverse impact on visual amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, Aldwick Design Statement, and Arun Design Guide.

RESIDENTIAL AMENITY

The extension will be single storey and have a flat roof extending from the eaves of the existing side annexe. This roof will have a height of 2.9m and will include a roof lantern which protrudes slightly above, at a height of approximately 3.2m. The conservatory roof will also measure 2.9m high, matching the extension, and will also include a roof lantern at the same height. This roof lantern will make the roof slightly higher than the existing conservatory roof but is of little significance to residential amenity. The conservatory will retain its existing footprint on the boundary with No.38, with the replacement of the roof having minimal impact on this neighbour. The change in roof design will not result in any more overbearing or overshadowing of the neighbouring property and is acceptable.

The extension will retain 43.2m from the north west (rear) and 1.05m from the south west (side). There are a number of trees to the rear of the property, and given the distance retained from the boundary, there will be no harm on the residential amenity of these neighbouring properties. Arun Design Guide recommends the use of the 45 degree rule to assess any potential impact the proposal may have on neighbouring properties to the sides, especially if there is not a large separation between the boundaries. When taken from the rear elevation of No.42, the extension does not obstruct the 45 degree line, and as such is in accord with the 45 degree rule. It will retain a sufficient distance from No.42, having minimal harm on residential amenity, and will not result in adverse overbearing or overshadowing. This is in accord with D DM4 of the Arun Local Plan.

In addition to the two roof lanterns, the proposal will feature a window to the north west elevation, and window and casement doors to the north east elevation of the extension. The window to the north west will not directly overlook any neighbouring properties, instead facing into the garden, and will have no impact on neighbouring privacy or amenity. The window and doors to the north east will face towards No.38, but will only overlook the neighbouring garden rather than the dwelling. This overlooking will be limited and will not have significant harm on the residential privacy and amenity of the neighbouring property. Visibility will also be partially blocked by a detached building to the side of No.38 and restricts

any potential overlooking that may have been possible of the dwelling itself.

Part M of the Arun Design Guide states that extensions should not negatively impact, and instead protect, neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings, and respond to existing elevations through the size and positioning of doors and windows. The proposal exhibits no features that pose adverse harm to residential amenity, and will not result in any adverse overbearing, overlooking, or overshadowing. It is in accord with Part M.

The development will not be unduly harmful to residential amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Part M of the Design Guide.

SUMMARY

The proposed development is deemed to accord with the 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.

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:

- Block and Location Plans 01
- Existing Ground Floor Plan 02
- Existing First Floor Plan 03
- Existing Roof Plan 04
- Existing South East and South West Elevations 05
- North East and North West Elevations and Garden Store SE and NW 06
- Proposed Ground Floor Plan 07
- Proposed First Floor Plan 08
- Proposed Roof Plan 09
- Proposed South East and South West Elevations 10
- Proposed North East and North West Elevations 11
- Block and Location Plans Image Views 12
- Perspective Views 13

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.