

PLANNING APPLICATION REPORT

REF NO: **AW/49/11/**

LOCATION: 11 Willowhale Avenue
Aldwick

PROPOSAL: Two storey side extension and single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The two storey element measures approximately 3.6m in width, 9.5m in depth and a maximum height of 7.3m. The single storey extension on the rear measures approximately 5.4m in width, 3.4m in depth and a maximum height of 3.4m.
SITE AREA	Approximately 737 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall + wrought iron gates 1.2m-1.5m in height, side boundary to No 15 hedging approximately 2m in height, side boundary to No 9 hedging + conifers over 2m in height. Rear has hedging, side No 9 hedging approximately 1.8m in height, side No 15 close boarded fencing + hedging/tree screening over 2m in height.
SITE CHARACTERISTICS	Detached two storey property with detached garage on side, shed in rear garden. The property has pebbledash on upper level, brickwork on lower level, white window frames with a brown tiled roof.
CHARACTER OF LOCALITY	Residential road comprising predominantly detached two storey properties of relatively large plots.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council

Members agreed that this extension would have an adverse effect on neighbouring properties as the development would be overbearing, overshadowing and unneighbourly. It is therefore in conflict with policy DEV19 of the Arun District Local Plan. 7 members voted to object and 1 member abstained.

2nd Consultation to Aldwick Parish Council regarding substitute plans.
Support. Members voted in favour of supporting this application.

2 Letters of Objection (from same source)

The proposed extension will only be 1m from the boundary and this will limit the amount of light through our lounge and dining room windows. Party Wall Act no notice. The proposed wall will be 2m from our house and the foundations will be at a lower level which could result in possible damage to our property. The front of the proposed extension extends beyond the original front line of the house and our house reducing the light into our main bedroom and lounge in the afternoons and evenings.

Subsequent letter received from objector who are now happy with the substitute plans.

Comments on Representations received:

Parish Council's comments noted regarding substitute plans.

Objection comments noted regarding original and substitute plans.

The proposed two storey extension will be sited within 1m of the boundary and 2m from the dwelling but it is not considered that this would be overbearing, create harmful overshadowing to warrant a refusal. Part Wall Act is not a planning or building regulation matter. Substitute plans have been submitted which show the proposed two storey extension to be set in line with the main dwelling which should alleviate the loss of light into the bedroom and lounge window. Foundations and siting of a sewer pipe to implement the extension will be dealt with under Building Regulations.

Comments noted regarding substitute plans from objector.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
No Public Sewer
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)
[DEV19](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Locality

The two storey detached property is sited within the Built Up Area Boundary in a residential road where the properties are predominantly two storey detached within large plots.

Principle

The application seeks to demolish the existing garage on the western side boundary and construct a two storey extension which will comprise a garage and utility room on the ground floor with two bedrooms and en-suite above. A single storey extension on the rear adjacent to the existing conservatory is proposed and this will comprise an extended kitchen and family room.

Visual Amenity

The existing garage is sited forward of the main dwelling and the proposed two storey element will be sited approximately 1m from the western side boundary and set in line with the main dwelling. The extension measures approximately 3.6m in width, depth of 9.5m with a height of 7.3m which is no higher than the existing roof height. The single storey element on the rear links up with the existing conservatory with a width of approximately 5.4m, depth of 3.4m and a height of 3.4m. The extension has been designed to sympathetically relate to the existing dwelling.

Residential Amenity

The neighbouring property to the west No 9 is sited approximately 2m away and the proposed extension will be sited approximately 1m from the western side boundary. This property has been

extended with a similar two storey extension on the western side of the dwelling and single storey extensions on the rear. It has three windows on the ground floor on the eastern side of the dwelling facing the proposal, two are ancillary windows that serve the lounge and the third the dining room. The proposal has two windows on the ground floor that serve the utility/kitchen and at first floor level an en-suite which will be obscure glazed. The single storey family room extension will be set in line with the neighbouring property No 9 and there are no windows on the side elevation facing this property. Although the proposed extension may create some overshadowing to the ground floor area it is not considered to be of a harmful nature to warrant a refusal.

Summary

Many of the properties in Willowhale Avenue have been extended and the neighbouring property No 15 has recently had approval for a two storey extension on the western side of the dwelling that is sited approximately 1.5m from the neighbouring boundary of No 11. It is not considered that the extensions by reason of their height, scale and bulk would detrimentally harm the neighbouring properties No 9 and 15 by way of overbearing affect, harmful overshadowing, overlooking or loss of privacy. The extension is considered to be visually subservient to the main dwelling and would not appear out of character and appearance within the street scene or the surrounding residential area.

It is therefore recommended to approve the application, subject to the following conditions.

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: Site/Location/Block Drg No UA/03/01, Floor/Elevations Drg No UA/03/03 received on 12th April 2011.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the two storey extension and walls of the single storey extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The en-suite window on the east side elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the east wall of the extension without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.