

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

REF NO: AW/60/26/HH

LOCATION: 3 The Byeway
Aldwick
PO21 4ER

PROPOSAL: Alteration of rear first floor sun room windows, adjustment of front door and construction of garden room with small decking area. (This application may affect the character and appearance of the Aldwick Bay Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
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RELEVANT SITE HISTORY

AW/324/12/NMA	Application for a non material amendment following a grant of planning permission AW/3/12/ for a small window to the side of the extension.	Approve 03-01-13
AW/3/12/	Erection of two storey side/rear extension (amendment to previously approved planning applicaiton AW79/11/)	ApproveConditionally 14-02-12

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations were received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun Conservation Advisory panel (CAAC) - The proposals are modest in scale and it is considered that there will be no harm to the character and appearance of the conservation area.

Tree Officer - No response.

Engineers (Coastal protection) - No response.

Comments noted. The site does not fall within a designated Flood Zone and is not subject to any Tree

Preservation Orders.

POLICY CONTEXT

Aldwick Bay Conservation Area.
Pagham Harbour Zone B.
Built-Up Area Boundary.
2k Buffer for Site of Special Scientific Interest.

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)
HERSP1	HER SP1 The Historic Environment
HERDM3	HER DM3 Conservation Areas

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

DESIGN AND VISUAL AMENITY

The site comprises a detached two-storey dwelling.

The proposal seeks planning permission for the removal of a pergola and its replacement with a garden room incorporating a decking area, alongside alterations to the first-floor fenestration and the repositioning of the front door.

The garden room would be sited along the western side boundary within the substantial rear garden. It would measure approximately 4.1m in width and 8m in depth, with a pitched slate roof form with a maximum height of approximately 4m and an eaves height of approximately 2.7m. External finishes would comprise white render and aluminium-framed glazing. A raised decking area, measuring approximately 2m in width, 8m in length and 0.2m in height, would adjoin the eastern elevation of the structure.

Fenestration would include three-pane windows on the northern and southern elevations, with sliding aluminium doors on the eastern elevation providing access to the private amenity space. Two rooflights are proposed within the western roof slope.

Whilst the fenestration would not strictly match those of the host dwelling, in particular differing from the existing white uPVC windows, the structure would be a detached, ancillary outbuilding located to the rear and largely screened from public vantage points. This limited departure from the Arun Design Guide (ADG) would be acceptable in this instance.

The development would not result in overdevelopment of the site, given its modest scale and ancillary nature, and it would remain linked in use to the host dwelling. 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 dwelling, to prevent its use as a separate unit of accommodation, which could otherwise result in over-intensive use of the site.

The alterations to the dwelling include changes to the first-floor fenestration on the southern elevation, where the existing sun room windows would be replaced with a centrally positioned Juliet balcony with sliding glazed doors, flanked by four-pane windows. These alterations would largely utilise existing openings and would be finished in white uPVC to match the existing, in accordance with the ADG. The repositioning of the front door would align it with the existing external wall leaf and would not materially alter the appearance of the dwelling.

The proposal would not result in any harm to the character or appearance of the dwelling, street scene or wider area, and as such, the proposed development would be in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4.

RESIDENTIAL AMENITY

The garden room would be set in approximately 1m from the western side boundary and approximately 12m from the eastern side boundary. Given the site context, together with the single storey form of the development, the development would not give rise to adverse overbearing impacts, loss of light, or unacceptable overshadowing to neighbouring occupiers.

The fenestration on the northern elevation would be orientated towards the host dwelling, whilst the southern elevation would face the application site's private amenity space. There are no neighbouring properties to the south. The sliding doors on the eastern elevation would primarily overlook the garden and would benefit from separation distances, existing vegetation, and boundary treatments. The garden room would not result in any harmful loss of privacy or overlooking to neighbouring properties.

The alterations to fenestration and the repositioning of the front door are largely design-led changes, retaining a similar arrangement to the existing situation. These works would not introduce additional overlooking or loss of privacy.

Overall, the development would not result in harm to neighbouring amenity, in accordance with ALP policy D DM1 and the ADG.

HERITAGE

The site is within the Aldwick Bay Conservation Area, a designated heritage asset. The significance of the conservation area is derived from its spacious low-density layout, the high quality of the buildings in materials and style, and intensively landscaped gardens and verges.

Paragraph 207 of the NPPF (2024) requires applicants to describe the significance of heritage assets affected by development. In this instance, whilst a heritage statement has been submitted, it is limited in scope and does not fully address the requirements of the NPPF. Notwithstanding this, given the modest scale and nature of the proposals, sufficient information is available to assess the impact of the development. The applicant is, however, advised to have regard to relevant national guidance when preparing future submissions.

The garden room and fenestration alterations would be to the rear of the dwelling and would not be visible from the public realm. The design, scale and materiality of the proposals are considered to be broadly sympathetic to the host dwelling and would not detract from the established character of the

conservation area.

The proposal would not result in harm to the character or appearance of the conservation area and would preserve its significance, in accordance with ALP policies HER SP1 and HER DM3 and the NPPF.

SUMMARY

The development is in accordance with relevant development plan policies and 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:

- The location plan
- Existing & Proposed Site Block Plan 0.002 rev 03
- Proposed Site Plan 3.001 rev 02

- Proposed Site Plan 3.002 rev 02
- Proposed Ground Floor Plan 3.101 rev 02
- Proposed First Floor Plan 3.102 rev 02
- Proposed Garden Room 3.103 rev 02
- Proposed Elevations 3.201 rev 02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 The detached outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 3 The Byeway, Aldwick, PO21 4ER, 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.