

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

REF NO: AW/62/26/HH

LOCATION: 36 Churchill Avenue
Aldwick
PO21 5QD

PROPOSAL: Removal of existing conservatory and erection of single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations received from nearby occupiers.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is set at the junction of Balliol Close and Churchill Avenue and includes a detached dwelling with a conservatory. The application proposes demolition of the existing conservatory and erection of a single storey rear extension.

The extension would have a flat roof at a height of 2.8m, incorporating two roof lanterns. The extension would have an eaves height equal to that of the existing pitched roof, helping the extension integrate with the dwelling.

The Arun Design Guide (ADG) states that rear extensions on detached dwellings should not project more than 3.3m beyond the rear wall of the dwelling. The extension proposed extends beyond the rear wall by 7m, exceeding this guidance. Further to this, the resultant rear garden depth would be 6.9m, contrary to ADG advice of a minimum of 10.5m, which the dwelling currently satisfies. 36 Churchill Avenue would

retain an appropriate rear amenity area to the north of the extension; the extension would not result in an overdevelopment of the site and would not result in harm to visual amenity, despite the breach in ADG advice, in line with Arun Local Plan (ALP) policies D DM1 and D DM4.

Flat roof extensions are common in the locality; most notably at 5 Balliol Close, to the north, where an expansive rear extension was approved in 2022. The existing garage, at the south of the property, also as a flat roof, ensuring the extension would appear as a logical extension while remaining subservient to the host dwelling.

The two rooflights would reflect the existing open character of the conservatory. In terms of the materials, the colourwash brickwork, felt roof and UPVC windows would match those existing, resulting in no harm to design or visual amenity.

The proposal is in accordance with ALP policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

Set sufficiently in from the boundary with 1 Balliol Close, to the north-west, the extension would only impact 38 Churchill Avenue, to the south.

Set in by 0.22m from the south-western boundary, the extension would be in breach of ADG guidance, which advises that side extensions should be kept a minimum of 1m in from side boundaries. Further to this, the depth of the extension would result in built form abutting the boundary with 38 Churchill Avenue, to the south, to a depth of 15m along their rear garden. This may result in some overbearing impacts on the rear garden, however not to an extent to warrant a refusal of permission, considering the width and depth of the rear garden of 38 Churchill Avenue.

Due to the position and orientation (to the north of the neighbour closest to the extension) of the application site and proposed extension, there would be no impact on neighbours by way of overshadowing.

With two windows and double doors on the north-east elevation, and a window serving on the north-west elevation, the extension would provide an outlook into the rear garden of the host dwelling only, resulting in no harm to neighbours by way of overlooking.

While the extension may result in some harm by way of overbearing impacts, the proposal is broadly in accordance with ALP policies D DM1 and D DM4 in regard to neighbouring residential amenity.

SUMMARY

The proposal is in accordance 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

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, Block Plan and Proposed Elevations - 2/3
Existing Elevations, existing Floor Plan, Existing Roof Plan and Proposed Roof Plan - 3/3
Proposed Floor Plans - 1/3

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 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).
- 4 **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 NPPF.