

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

REF NO: AW/75/19/HH

LOCATION: 13 Gossamer Lane
Aldwick
PO21 3AT

PROPOSAL: Rear single storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension.

RELEVANT SITE HISTORY

AW/248/18/HH	Front two storey extension	Refused 20-12-18
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Aldwick Parish Council provided no objection.

1 letter of objection from a nearby occupier

- 4 of the 7 roof windows will face onto my garden and I will lose privacy and be overheard or overlooked.
- The block plan shows a 3cm clearance, what provision is there for guttering and run off.
- The apex of the proposed extension roof will be much height than existing causing loss of morning light.

Comments noted and addressed in conclusion.

CONSULTATIONS

Arboriculturist

Natural England

CONSULTATION RESPONSES RECEIVED:

Natural England - Has no comment to make on this application.

Arboriculturalist - No response

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

Class C road

DEVELOPMENT PLAN POLICES

[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)
SDSP2	SD SP2 Built-up Area Boundary
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
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CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Aldwick does not have a 'made' Neighbourhood Plan however does have a Parish Design Statement. The dwelling is located within Area 6.

A front two storey extension was recently refused in December of 2018.

DESIGN AND VISUAL AMENITY

The proposed development is sited to the rear of the property however due to the siting of the garage to the rear side it may be partially visible from the street scene however with 17m to the front boundary views will be limited.

There is currently an existing detached garage which runs along the western boundary with a depth of 5.4m. The proposal seeks to replace the garage with a larger structure and increase the depth so that it joins with the rear of the host dwelling. The proposal appears well integrated with the host dwelling with materials to match.

With few viewpoints from the street scene the development is not considered to adversely impact the spatial pattern or character of the street scene and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The existing garage currently runs along the western boundary and extends around 5.5m beyond that of the neighbouring rear elevation. The replacement garage will be sited in the same position and retain the

existing separation to the western boundary. The development will however increase in depth to the north by approximately 6m to meet with the host dwelling and will increase in height from approximately 3.9 to 4.8m. The width will also increase slightly from 3.25m to 5m. Eaves will remain as existing.

The Council have adopted a 45-degree rule as a tool to balance the interest of those persons wishing to extend their premises and their neighbours by ensuring that extensions do not seriously impact upon neighbours outlook or daylight. Whilst the garage would likely intersect the 45 degree angle, the structure located is in the same position as the existing garage and whilst the height does increase slightly it cannot be argued that any overbearing or overshadowing would be significant than compared to that which is already exists and in which a refusal would be justified.

The increase in depth of the extension will be to the north however there are no windows to the western elevation of the neighbouring property and with 9m to the eastern boundary the increase in depth is not considered to adversely impact neighbouring amenity.

There will be 7 roof lights to the garage extension with 4 facing towards the neighbouring property at No 15. It is however considered that there are very minimal if any views available of the rear garden of the neighbouring property from the proposed rooflights due to their height and position above finished floor level.

There will be windows and a door installed to the north east and rear elevation however with 9m and 15m to the boundary and with the development at single storey views will be of the rear garden and are not considered to give rise to any adverse overlooking.

There is no provision shown on the plans for guttering. If this is required and would extend over the neighbouring property this may require a revision of the application and the neighbour would have their own private property rights in law.

The proposal whilst large is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development 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 Plan 19/15/6
 - Block Plan - 19/15/5/
 - Proposed Plan - 19/15/3

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

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

Reason: In the interests of amenity in accordance with policies DDM1 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.