

Recommendation Report for Planning Permission

REF NO: AW/78/22/PL

LOCATION: Southmead
Canons Close
Aldwick
PO21 4EB

PROPOSAL: Variation of condition 2-plans condition imposed under AW/259/21/HH to extend front of property approximately 2m further than approved.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks a variation of the plans conditions approved under AW/259/21/HH.
TREES	There is an oak tree to the rear of the property.
SITE CHARACTERISTICS	The site is occupied by a two storey detached property.
CHARACTER OF LOCALITY	The area is predominately residential.

RELEVANT SITE HISTORY

AW/259/21/HH	Single storey rear extension, single storey front extension and two storey side extension	ApproveConditionally 11-10-21
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An application was approved in October 2021 for a single storey side and rear extension and a two storey side extension.

REPRESENTATIONS

Aldwick Parish Council provided no objection.

8 letters of objection from 5 nearby occupiers.

- Concern the extension will result in an overdevelopment on the plot.
- Not in keeping with other properties in the close.
- Out of character with the other properties in the Close, which are built in a traditional style.
- Visually dominating and overpowering.
- The proposal contravenes design policy ref. 13.2.8 and 13.2.9.
- The proposal would dominate Canons Close by its sheer size and mass.
- The proposal would extend beyond other neighbouring properties.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built up area boundary.

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:

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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

Aldwick does not have a Neighbourhood Plan but the Aldwick Parish Design Statement is relevant, with the property located within Area 3.

DESIGN AND VISUAL AMENITY

The proposal seeks to vary the plans which relate to the design of the dwelling and were approved under AW/259/21/HH.

The previous application had a front extension which had a maximum depth of 2m. The application seeks to extend this an additional 2.7m. The front of the dwelling will therefore extend a total of 4.7m forward of the existing.

This extension will be single storey and has a flat roof.

Whilst the proposal would result in a front extension of some depth, the extension would still not project significantly beyond existing front building lines. It remains in line with 'Casa do Canto' to the west and behind that of '1 Craig Lea'. Around 12m is retained to the principal elevation from the front boundary. The proposal will alter the appearance of the building although as addressed in the previous report there is general variation in design in the street scene and the proposal would not significantly contrast with this.

The proposal does not accord with the Design Guide which states 'Front extensions should generally be no deeper than 1.5 metres and should not be the full width of the building'. Whilst it conflicts, due to the siting and general appearance of the locality, the front extension will not result in adverse harm.

There is a side extension which will alter from approved and increase in length from 2.2m to 4m. It remains single storey and due to it siting, views from the wider area will be minimal.

The rear extension whilst not visible from the street scene is no longer intended and the rear building line will remain as existing.

The remainder of the proposal is not altering and the changes would not result in additional adverse harm on the appearance of the street scene or character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The increase to the depth of the front extension will not result in adverse overbearing or overshadowing on the nearest neighbouring properties at Bell House, Tanglewood or Craig Lea as a result of the scale

and siting. It would not interest a 45 degree angle from their front facing windows.

Due to the scale (depth and height) of the front extension and their siting from Bell House and Tanglewood these would not have any significant harmful impacts in terms of loss of outlook or daylight to these neighbouring occupants.

There will be an additional front facing window which will have views over the street scene.

The alteration to the side extension is modest in size and whilst located closer to the boundary, at single storey does not result in adverse harm.

The extension to the rear has been removed from the plans and the building line will remain as existing.

The alterations will not result in additional harm upon amenity by way of overbearing, overshadowing or overlooking in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development accords with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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 with the date of the planning permission under AW/259/21/HH (11 October 2021)

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 received 22/3/22)
- Block Plan (received 6/5/22)
- Proposed Ground Floor Plan (received 21/3/22)
- First Floor Proposed (received 6/5/22)
- Proposed Elevations - March 9th

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: This permission relates to the variation of approved plans of planning permission AW/259/21/HH only.