

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

REF NO: AW/79/20/HH

LOCATION: 175 Nyetimber Lane
Aldwick
PO21 3HT

PROPOSAL: Side extension to enlarge kitchen and dining room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal seeks to construct a side extension.

RELEVANT SITE HISTORY

AW/194/17/NMA	Application for a non-material amendment following a grant of planning permission AW/79/17/HH - to extend the shower room by 850mm	Approve 28-07-17
AW/79/17/HH	Rear extension	ApproveConditionally 25-05-17

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

No objection

1 letter of objection from a nearby occupier.

- Given the proximity of extension, request condition to restrict working hours.
- Proposed foundations may damage our property and a party wall Act should be considered.

Due to the modest scale restrictions to working hours are not considered necessary. Foundations are dealt with under Building Control. Party Wall Agreement is a private matter.

CONSULTATION RESPONSES RECEIVED:

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)
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

PRINICPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Aldwick does not have a Neighbourhood Plan however does have a Parish Design Statement with the property located within Area 1.

DESIGN AND VISUAL AMENITY

The development will be situated to the western side elevation of the property and will be partially visible from the street scene. There is an existing garage to the north of the property which due to its siting will restrict much of the view of the side extension.

There is an existing side addition which has a lean to roof. The replacement side addition will be of the same similar appearance albeit with a flat roof.

The extension is considered subservient to the host dwelling due to its modest size and with materials to match existing it helps to ensure it appears well integrated.

With an existing side addition, the proposed is not deemed to appear out of character in the area.

Due to the siting of the extension which is partially restricted from view and due to its replacement nature, it is not deemed to adversely impact the appearance of the street scene and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension is situated to the western elevation and will meet with the boundary run along the full side elevation, meeting with the rear of the host dwelling.

It will have a width of 3.35m and a height of 3.1m.

The extension does extend beyond the neighbouring property at 177 however due to the siting and with sufficient boundary fencing in place, it is not considered to result in adverse impact upon neighbouring amenity by way of overbearing or overshadowing.

There are no windows to the side elevation. There will be 2 rooflight and doors to the rear elevation however with the development at single storey, it is not deemed to result in adverse overlooking.

The proposal is not considered to harm amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with the 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

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
 - Block Plan
 - Location Plan
 - Proposed Elevations - SD003 Rev A
 - Existing and Proposed Floor Plan - SD002 Rev A

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:** 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.