

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

REF NO: AW/85/21/HH

LOCATION: 22 A'Becket's Avenue
Aldwick
PO21 4LX

PROPOSAL: Rear garden basement.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AW/75/21/HH	First floor rear extensions, front detached garage & rear garden summer house.	
AW/219/18/T	Crown reduction of 1No. Lime by 2m & thin & deadwood by 15%	ApproveConditionally 06-11-18
AW/150/18/HH	Replacement front porch.	ApproveConditionally 24-07-18

REPRESENTATIONS

Aldwick Parish Council: No objection

One representation which expressed concerns regarding drainage and how the works will be completed with no access to the rear garden from the front.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:

2km Buffer for Site of Special Scientific Interest
 Pagham Harbour Zone B
 Within the Built Up Area Boundary
 Tree Preservation Order

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPDG National Design Guide
 NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policy considered is D DM1 of the Arun Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

DESIGN AND VISUAL AMENITY

The basement by virtue of its design and location will have no impact upon the visual amenity of the locality.

RESIDENTIAL AMENITY

The basement by virtue of its location is not considered to give rise to any unacceptable adverse overlooking, overshadowing or overbearing impacts upon neighbours.

TREES

Based on the submitted information the works are not considered to affect the life of the tree protected under the TPO. No comments have been received from the Council's Tree Officer.

The use is also considered not to cause any intensification of use of the site.

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.

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:
 - Block Plan
 - Location Plan
 - Basement Site Plan
 - Sections
 - Site Plan
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:** The design of the proposed basement and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding. The basement will need to be suitably designed and tanked to prevent groundwater and surface water intrusion. In addition, as the basement will require connection to the foul sewer (for the shower and WC), the designer will need to consider that this will be the lowest point of the system and ensure that they have designed against backflow from the foul. These matters will be dealt with at Building Control stage.
- 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.