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

REF NO: AL/13/23/HH

LOCATION: Hook Place
Hook Lane
Aldingbourne
PO20 3TS

PROPOSAL: **Construction of private swimming pool and pool house. Removal of existing garage and replacement with new carport. Associated landscape works and reinstated access for maintenance. This application may affect the setting of a listed building.**

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Swimming pool, pool house and hot tub enclosure. The pool and building are over 90m from the house and 8m from eastern boundary. The pool house would have weatherboard walls and clay tile roof, with brick plinth and automated blinds with light sensors to control light spillage installed on all windows and glazed doors. It would be L-shaped maximum 12.2m x 7.95m.

There would also be changes in ground level linked to existing levels and excavation of pool. The pool building would be on a brick plinth with a maximum ridge height including plinth of 5m and a maximum eaves height of 3.1m and glazing and openings on all elevations except the east. The building includes a living space, plant room, kitchen area, gym and bathroom.

There is also a hot tub enclosure 3.4m x 3.4m, 2.5m in height, open timber gazebo style sited east of the pool and north of the pool building. The pool would be 14m x 5.3m and surrounded by paving.

An existing garage would be removed and a car port constructed. This would be over 40m from the house and 2.3m from eastern boundary. It would be a 4 bay carport with two open bays, two closed forming a store with two sets of double doors. The car port measures 12.2m x 6.2m with a ridge height of 4.5m and eaves at 2.4m. It would be constructed of a green oak frame with clay tiles.

The scheme includes associated landscape works including hedge planting and removal of some trees and a reinstated access for maintenance, in southeast corner of plot with new gates.

RELEVANT SITE HISTORY

AL/184/22/HH	Construction of private swimming pool and pool house. Removal of existing garage and replacement with new carport. Associated landscape works. This application may affect the setting of a listed building.	Withdrawn 26-01-23
AL/144/22/HH	Conversion of walled patio to extension and associated alterations. (This application may affect the setting of a listed building)	ApproveConditionally 24-11-22
AL/145/22/L	Listed building consent for conversion of walled patio to extension and associated alterations.	ApproveConditionally 24-11-22
AL/95/18/L	Application for Listed Building Consent for replacement of wooden driveway gates on a like for like basis & installation of woodburning stoves.	ApproveConditionally 26-11-18
AL/55/18/L	Listed building consent for the removal of feature arch to bring room into one, removal of a wholly internal, non-structural kitchen cupboard made of brick & plasterboard & the insertion of a new internal door to partition off the utility room & cloakroom.	ApproveConditionally 21-08-18

REPRESENTATIONS

Aldingbourne Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Principal Conservation Officer: Conditions recommended.

Arboricultural Officer: Objection as no arboricultural report. A condition is proposed to require submission and agreement prior to commencement.

WSCC Highways : No transport grounds to resist the proposal. Informative requested re Vehicle Crossover - Minor Highway Works.

Parks and Landscape: Further details requested. Condition proposed.

POLICY CONTEXT

Outside the Build Up Area Boundary
Area of Character
Grade II Listed Building
WSCC Mineral Consultation Area
Archaeological Notification Area
CIL Charging Zone 3
HRA Buffer

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
HERDM1	HER DM1 Listed Buildings
HERDM4	HER DM4 Areas of Character
HERSP1	HER SP1 The Historic Environment

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1	Built up area boundary
Aldingbourne Neighbourhood Plan 2019-31 Policy EH10	'Unlit Village' status
Aldingbourne Neighbourhood Plan 2019-31 Policy EH8	Buildings and structures of character
Aldingbourne Neighbourhood Plan 2019-31 Policy EH9	Conservation areas

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

PRINCIPLE
The key policies are D DM1, HER DM1, HER SP1 and HER DM4 of the Arun Local Plan, and any relevant guidance outlined in the Arun Design Guide.

D DM1 provides criteria applications should be assessed against, particularly relevant to this proposal are character, appearance, impact, and scale.
D SP1 requires development be informed by sustainable design and reflect the characteristics of the

existing site and its locality including scale, massing, character, materials, finish, and architectural details.
HER SP1 relates to the need for proposals to conserve or enhance the historic environment of the District.
HER DM1 relates to listed buildings, there is a listed building nearby to the south-east.
HER DM3 relates to Conservation Areas and state that proposals must protect and if possible, enhance their setting.

Aldingbourne has a 'made' Neighbourhood Development Plan, of which policies EH1, EH8, EH9 and EH10 are relevant.

EH1 is concerned with development within the Built-Up Area Boundary and states that proposals for development of land located to the west of Westergate Street and outside of the BUAB will not be supported. Although outside the BUAB, the proposal is in a garden and involves the removal of the garage structure and replacement with a carport. Whilst in a previously undeveloped part of the garden it is in keeping with the type of development already present nearby and as such it is acceptable.

EH8 is concerned with the heritage significance of buildings, structures and areas of character (in particular non-designated heritage assets) and states that proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting and contribution to local distinctiveness.

EH9 is concerned with Conservation Areas and states that development proposals affecting the two Conservation Areas within the Parish will only be supported where they preserve and enhance their character, setting and appearance.

EH10 concerns unlit village status and states that development proposals which detract from the unlit environments of the Parish will not be supported. The proposal is in accord with this being a domestic addition to an existing property which will not result in a significant contribution to light pollution currently generated by this property.

THE SITE AND SURROUNDINGS
Hook Place is a Grade II, late C.17 building (1693 date stone) on the southwest side of Hook Lane and forms part of a small group of attractive, vernacular buildings. The building is faced with flints with dressings, quoins and stringcourses of red brick. It has a pitched tiled roof and casement windows. The site was originally a small farmstead, which comprised the existing main house and a long agricultural building to the rear.

Both the agricultural building and the house were altered and enlarged during the 19th and 20th centuries until they were joined together to form a single building.

A single-storey C20 garage building opposite entrance gates south of the house, to be removed.

The former agricultural building is now a domestic building known as Elda Cottage. It derives its significance from its architectural and historical interest. The house is located in the Hook Lane and Park Lane Area of Character. This is a non-designated heritage asset, first identified as part of the made Neighbourhood Plan.

DESIGN AND VISUAL AMENITY
The new car port building will be to the south of the access gates closer to the road and site boundary than the existing building.

The design of the buildings, both have the appearance of rural outbuildings, proposed landscaping, distance to the main house and appropriate materials will ensure that the proposals are in keeping with the special character of the area.

Whilst both buildings are of a reasonable height and will be visible from outside the site, particularly from the north and east, they will both have an appropriate rural outbuilding appearance. Additional landscaping is proposed and conditioned.

The carport, pool building, and pool are all at some distance to the house and of simple designs of a rural appearance which will ensure that they will appear subservient to the design of the host and will integrate well in with the surrounding area where examples of similar buildings can be seen in the gardens of nearby houses.

The proposed buildings and access way will not result in a detrimental impact on the surrounding area. The works will not dominate or obtrude on the host dwelling and are acceptable. They will maintain both the character of the property, and the locality, in accordance with Policies EH8 and EH9 of the Aldingbourne Neighbourhood Plan.

The Arun Design Guide does not specifically relate to ancillary buildings. The development will not have an adverse impact on visual amenity and will not conflict with D DM1 of the Arun Local Plan or relevant policies of the Aldingbourne Neighbourhood Plan.

RESIDENTIAL AMENITY

The closest nearby neighbours are Crunchy Cottage to the south and Meadow Cottage to the east. Crunchy Cottage is on the bend of Hook Lane, there is extensive mature planting along the application site boundary and wider grass verge close to where the new access is proposed. The pool building will be approximately 19m from the southern boundary. Given the distances between buildings and the existing landscaping the pool building new access and pool will not result in an adverse impact on Crunchy Cottage. On the eastern side of Hook Lane is garden bounded by hedging, which will not be adversely impacted by the proposals. The development will not be unduly harmful to residential amenity and will not result in any adverse overbearing, overshadowing or overlooking and will not conflict with D DM1 of the Arun Local Plan.

HERITAGE ASSETS

The property is a Grade II Listed Building and in an Area of Character. It is proposed to be a Conservation Area in the Aldingbourne Neighbourhood Plan but has not been formally designated. As such, the works should aim to conserve and contribute to the building's heritage assets and the character of the area.

The Conservation Officer has been consulted on this application and has concluded that the proposed pool, pool house and carport/garage structure would, on balance, have a neutral impact upon the settings of the listed building and would not affect the way in which its significance is currently experienced and understood. The landscaping would help to ensure that the character and appearance of the lane would also not be harmed. The special interest of the listed buildings would be preserved by the development.

As a consequence, the Conservation Officer has recommended that the application should be determined in accordance with the relevant policies within the Development Plan. Section 66 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

HER DM1 sets out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the Listed Building is a significant heritage asset, proposals should protect the setting of these buildings.

HER DM4 sets out criteria for which proposals within Areas of Character must meet to be acceptable. These include the retention of buildings and other features which positively contribute to the area, the maintenance of an appropriate mix of uses, and requires new development to preserve and enhance the special character of these areas.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The property is a late C17 Grade II Listed Building and is of architectural and historical significance. Para 195 requires the LPA to consider the significance of the impact of the proposal upon that heritage asset. These have been considered in the Heritage and Design Statement, assessment of its contents and by the Conservation Officer. Conditions have been requested by the Conservation Officer. These have been added to the recommendation.

The Arun Design Guide Part C.03 Heritage and Conservation Environment is relevant, the District has a rich historic environment, which future development must seek to protect, complement and enhance.

The proposal would not harm the significance of the heritage assets (designated and non-designated), nor the character of the area. This is in accordance with HER DM1, HER DM4 and HER SP1 of the Arun Local Plan, EH8 and EH9 of the Neighbourhood Plan, and the NPPF in that it will protect and enhance the special historic and architectural character of the building and area of character. In making this determination weight has been given to heritage assets as required by NPPF section 16.

TREES AND LANSCAPING
The proposals involve removal of trees in the vicinity of the pool and pool building and hedging to enable the access. The garden is extensive and populated with mature trees and hedging along much of the eastern road boundary. There are several specimen trees. The Arboricultural Officer has visited the site and has objected on the grounds of there being arboricultural report, an appropriate condition requiring submission prior to commencement is proposed. This is a pre-commencement condition the imposition of which has been agreed by the applicants agents. Provision of an arboricultural report will meet with the aims of ENV DM4.

SUMMARY
The proposed development will not conflict 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.

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 000
- Existing Block Plan 001
- Proposed Block Plan 002 REV1
- Existing Garage 100
- Proposed Carport 101 REV1
- Proposed Pool House 102 REV1
- Indicative Hottub Enclosure Pool House 103
  (please note notwithstanding the use of indicative any change from the approved plans will require written consent from the LPA)
- Proposed Block Plan and Street View 104
- Materials Schedule 200
- Heritage, design and access statement.

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 Before any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place, the applicant must submit a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) to the Local Planning Authority for approval. Written confirmation of acceptance of both AMS and TPP must be issued before any works are commenced on site.

Reasons: To comply with BS5837:2012 and ensure the retention and protection of trees and vegetation which are an important feature of the area, in accordance with Policy D DM1 of the

Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the
protection and retention of trees goes to the heart of the planning permission.

4 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

5 No development above damp proof course (DPC) level shall take place unless and until a schedule of details of the new windows and doors of the proposed buildings including sections, glazing bars, glazing system and location within the reveal, have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in the construction of the buildings. Details should be provided in statements and plans to an appropriate scale and include relevant measurements.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policies D DM1, HER DM1 and HER DM4 of the Arun Local Plan.

6 No development above damp proof course (DPC) level shall take place unless and until details of the rainwater goods (including materials) for the proposed buildings have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policies D DM1, HER DM1 and HER DM4 of the Arun Local Plan.

7 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.

8 INFORMATIVE: Vehicle Crossover - Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-

crossovers-for-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/.

9 INFORMATIVE: With respect to Condition 3, please refer to the requirements and details contained in the Tree Officer Consultation Response dated 9.03.23.