

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

REF NO: AL/50/20/HH

LOCATION: Limmer Pond Cottage
Nyton Road
Aldingbourne
PO20 3TX

PROPOSAL: Replacement of existing conservatory with new garden room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a replacement conservatory. The window to the side elevation will also increase in size.

REPRESENTATIONS

No response.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - Given the scale and assumption it is likely permitted development, conditions have not been requested.

POLICY CONTEXT

Outside 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
CSP1	C SP1 Countryside

[Aldingbourne Neighbourhood Plan 2016 POLICY H1](#) New housing or altering dwellings

Quality of Design

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

The site is outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan. The proposal is for extensions and alterations to a dwelling. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy. In this case, the key policy considerations are deemed to be D DM1 and DDM4 of the Arun Local Plan.

Aldingbourne has a Neighbourhood Plan with policy H1 of relevance. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The property seeks to replace an existing conservatory and will be situated to the side elevation.

The conservatory is partially visible above the fence line however the property fronts Nyton Road the replacement structure is not considered to appear out of character.

The conservatory remains similar in appearance to that which already exists although will increase in depth by 0.35m. The windows which front the road to the south west will be reduced in size.

To the rear elevation, the first floor window will also increase slightly in size, however this is not visible from the street scene.

Due to the siting of the proposal and its replacement nature, it is not considered to result in an adverse appearance on the character of the area or street scene and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The conservatory will increase in depth slightly by around 0.35m and have a maximum height of 3.1 with rooflight.

Due to it largely replacing an existing structure and with sufficient separation to neighbouring boundaries at 2.5m and 4m, it is not considered to result in harm upon amenity with no views additional to that which is already achievable.

The first floor window to the southern elevation will increase slightly in size however is not considered to provide additional views with 24m retained to the boundary

The proposal as a result of the siting and separation is not considered to result in harm upon neighbouring amenity and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with 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
 - Location and Block Plan 01
 - Proposed Elevations - 05
 - Ground Floor Plans -02
 - First Floor Plans 06
 - Roof Plans- 03

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.