

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

REF NO: AW/109/19/HH

LOCATION: 45 The Drive
Aldwick
PO21 4DS

PROPOSAL: Replacement of existing conservatory to the rear elevation with a new orangery in the same location of the same width and projection. This application affects the character and appearance of Craigweil House Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a conservatory which will replace an existing addition.

RELEVANT SITE HISTORY

AW/259/17/TC	Height Reduction to 8No. Leylandii, 3No. Golden Crest by 0.1m. Height Reduction of 1No Beech, 1No. Ginkgo Bilboa & 1No. Rowan by 0.6m within Craigweil House, Aldwick conservation area.	No Objection 19-10-17
AW/272/17/T	Crown Reduction to 0.1m and Crown Raise of 0.3m to 1No. Yew tree.	Approve 19-10-17
AW/304/16/T	Re-shape by cutting back new growth of up to 100mm all round dome shape & raise crown to 300mm from ground level.	Approve 25-11-16
AW/313/16/TC	Re-shape by removing new growth to a hedge comprising 7No. Leylandii, re-shape 4No. Golden Crest & 1No. Leylandi by 100mm of new growth within the Aldwick (Craigweil House) Conservation Area.	No Objection 25-11-16
AW/237/13/TC	Various surgery to 3 No. Golden Crest & 1 No. Leylandii within the Craigweil House Conservation Area	No Objection 28-10-13
AW/225/13/T	Cut back up to 100mm all round from 1No Yew tree	ApproveConditionally

28-10-13

AW/36/11/TC	Reduce and reshape Lleylandii hedge; reshape 3 No Cypressus Macrocarpa; reshape 1 No Leylandii tree; reduce 1 No small Fir tree within the Craigweil House Conservation Area	No Objection 14-03-11
AW/14/11/T	Cut back new growth of up to 100mm to 1 No Yew tree	ApproveConditionally 04-03-11
AW/171/97/T	Fell two sycamore trees and one yew tree, lop one sycamore tree, raise and reduce crown of one yew tree	ApproveConditionally 14-11-97

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Aldwick Parish Council strongly support the proposed replacement.

No representation received from nearby occupiers.

CONSULTATIONS

Conservation Officer

Engineers (Drainage)

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

Drainage (Engineers) - Due to the scale and location of the proposed development we have no conditions to request.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Conservation Area.

Tree Preservation Order.

DEVELOPMENT PLAN POLICES

[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
HERDM3 HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10 Aldwick Parish Design Statement

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Aldwick does not have a made Neighbourhood Plan however does have a Parish Design Statement which is of relevance to the application. The property is located within Area 2.

DESIGN AND VISUAL AMENITY

The proposal is located to the rear of the property and as a result is not visible from the street scene. The proposed conservatory due to its design and siting is considered to appear well integrated and subservient to the host dwelling and replaces an existing addition.

Due to the siting of the conservatory, the proposal is not considered to have any adverse impact upon the spatial pattern or character of the area as there are no viewpoints from the street scene and is accordance with DDM1 and DDM4 of the Arun Local Plan.

CONSERVATION AREA

Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. As a result of the siting in such it is not visible from the street scene or wider area and its modest scale the development proposed is considered to have no harm to the significance of the asset and is considered to preserve the appearance of the Conservation Area in accordance with HERDM3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed replacement conservatory will have a depth of 5.5m and a width of 4m. It will be constructed largely to the same size as existing and therefore retains the existing separation to the boundaries at 9.5m and 3.2m.

The conservatory will have glass to all elevations however this is the same as the existing conservatory and it is not considered to give rise to any additional overlooking as a result. To the eastern elevation there is also sufficient hedging and boundary treatment in place to prevent any adverse impacts upon neighbouring amenity.

The development is modest in size and with it largely replacing an existing structure and is not considered to harm neighbouring amenity by way of overshadowing, overbearing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord 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.

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 Floor Plan - KE-19-003
 - Proposed Elevations - KE-19-004

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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.