

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

REF NO: AW/162/20/HH

LOCATION: Springmere
95 The Fairway
Aldwick
PO21 4EW

PROPOSAL: Replacement of existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a conservatory to the side elevation in replacement of an existing.
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RELEVANT SITE HISTORY

AW/110/20/PDH	Notification under extended permitted development rights for a single storey rear conservatory measuring 6.4m from beyond the rear wall of the original dwelling house, with maximum height of 3.17m and eaves height of 2.3m.	Objection 19-06-20
AW/5/11/TC	Fell 1 no. Sycamore tree. Re-position 1 no. Apple tree & 1 no. Rowan tree (within the Aldwick Bay Conservation Area)	No Objection 16-02-11
AW/148/20/T	Reduction in height of 2 No. Silver Birch trees to 8m (A1 and A2). Crown thin of 1 No. Pissard Plum tree (B1) by 20%.	ApproveConditionally 13-08-20

REPRESENTATIONS

Aldwick Parish Council provided No objection

No representation received from nearby occupiers.

Aldwick Bay Estate provided no objection.

CONSULTATIONS

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)
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

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Aldwick does have not a Neighbourhood Plan however has a Parish Design Statement with the property located within Area 13.

BACKGROUND

The proposal was subject to a PDH application however this was objected to as the property falls within a Conservation Area in which extended PD rights don't apply.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a replacement conservatory to the western elevation of the property. This is situated to the rear and not visible from the wider area.

The conservatory appears subservient to the host dwelling and is minor in scale situated on a large plot.

Due to the siting, with no viewpoints from the wider area, it is not considered to result in adverse appearance of the wider area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The conservatory is situated to the western elevation and will increase in depth from around 3.2m to 6.4m and will have a width of 2.9m. It will have a height of 3.15m. This runs alongside the dwelling however does not extend beyond the rear elevation with an addition to the east extending slightly beyond.

1.05m is retained to the western boundary which consists of fencing and hedging. To the rear of the boundary treatment there is a driveway for access to a garage at the neighbouring property. As such the addition is not considered to result in an adverse impact by way of overbearing or overshadowing with

sufficient separation.

The proposal will have a brick wall to the western elevation with a rooflight and glazing to the rear and eastern elevation overlooking the garden of the host dwelling.

Due to the design and siting, the proposal is not considered to result in an adverse impact upon amenity and as such accords with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with 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
 - Location Plan
 - Block Plan -
 - Proposed Elevations - SHB/20/004

- Proposed Floor Plans - SHB/20/003

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.