

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** **AW/200/17/HH****LOCATION:** 6 The Byeway
Aldwick**PROPOSAL:** Alterations to the existing canopy extent & eaves detail & cladding of upper parts of all elevations & the lower parts of the rear elevation - This application affects the character & appearance of the Aldwick Bay Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Cladding of first floor walls with violet blue shiplap and reducing the extent of the front canopy.
SITE AREA	0.015 hectares.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fence with 5m hedge to front. 2.5-4m hedges to sides and vegetation to rear with some low fencing.
SITE CHARACTERISTICS	Detached two storey dwelling with canopy to front attaching to single storey garage. Driveway to front with front garden, large garden to rear linking to beach.
CHARACTER OF LOCALITY	Private residential seaside estate formed of detached two storey dwellings of carrying character.

RELEVANT SITE HISTORY

AW/122/95	Boathouse	ApproveConditionally 23-02-1996
AW/172/12/	Rear & side two storey extensions, extension & new roof to garage & infil balcony on new flat roof	ApproveConditionally 16-08-2012
AW/305/13/	Amendment to previously approved application AW/172/12 for alterations and extensions to add a two storey hall/stairs extension and replacement garage. This application affects the setting of the Aldwick	ApproveConditionally 16-01-2014

Bay Conservation Area.

BR/185/59	Dwelling	Approve 26-11-1959
BR/185/59/A	3 storey house	Approve 04-12-1961
BR/33/67	Private Beach House	ApproveConditionally 22-03-1967
BR/267/68	Detached house and garage	ApproveConditionally 08-07-1968
BR/29/69	Sun lounge	Approve 03-02-1969
BR/612/71	Additional garage external w.c. minor alterations	Approve 17-11-1971

Property granted consent in 1968.

REPRESENTATIONS

Representations received:

No comments made.

Comments on Representations received:

N/A

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Officer

No response.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Aldwick Bay Conservation Area
Within the built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) AREA2
DEV19
GEN2
GEN7

Conservation Areas
Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to

[Publication Version of the Local
Plan \(October 2014\):](#)

Existing Buildings (residential and non-residential)
D SP1 Design
HER DM3 Conservation Areas
HER SP1 The Historic Environment
QE SP1 Quality of the Environment
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD10	Aldwick Parish Design Statement
SPD2	Conservation Areas

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne;

Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Aldwick Parish does not have a made NDP but does have an adopted Village Design Statement which will be considered in this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The alterations to the canopy and its eaves detail are modest and will result in a square eave style not especially dissimilar to the existing which preserves the character of the dwelling.

The violet-blue cedral cladding will be to the first floor at front and sides and full height to rear (beach facing). As the neighbouring dwelling of number 5 The Byeway had cedral cladding of a similar colour granted permission in 2015 and has been installed, and other properties on the street have similar cladding, it is considered to be a characteristic of the area. Thus, the cladding is considered to preserve the character of the conservation area and is an acceptable addition to the property in term of visual amenity.

The development is considered to preserve the visual amenity of the conservation area in

compliance with saved policies GEN7, DEV19, AREA 2 and Area 1 of the Aldwick Parish Design statement and the Conservation Areas SPG.

RESIDENTIAL AMENITY

The development would see no significant additions to the property which could reasonably be considered to have a significant impact on residential amenity in compliance with saved policies GEN7 and DEV19.

The application is considered to comply with the development plan and is recommended for conditional approval.

HUMAN RIGHTS ACT

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/Site Plan
PROPOSED ELEVATIONS Rev- A
PROPOSED ELEVATIONS

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7, DEV19 and AREA2 of the Arun District 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.