

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

REF NO: AW/250/19/HH

LOCATION: 19 Kingsway
Aldwick
PO21 4DQ

PROPOSAL: Extension to driveway to front & widening driveway gate. This application affects the character & appearance of the Craigweil House Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to alter the layout of the front garden by extending the driveway to the rear of the front garden to allow for cars to turn. This will involve widening of the driveway entrance and rebuilding of the gate pillar.

RELEVANT SITE HISTORY

AW/139/19/HH	Single storey rear extension and single storey front extensions (Amendment to previously approved application AW/307/18/HH). This application affects the character and appearance of Craigweil House Conservation Area	ApproveConditionally 29-07-19
AW/307/18/HH	Single & two storey extensions. This application affects the character & appearance of the Craigweil House Conservation Area.	ApproveConditionally 04-01-19
AW/45/18/HH	Rear single storey & two storey extensions, front single storey extension & canopy roof plus alterations to external wall & roof finishes. This application affects the character and appearance of the Craigweil House, Aldwick Conservation area	ApproveConditionally 21-05-18
AW/296/19/PL	Variation of condition 2 imposed under AW/139/19/HH relating to approved plans for balcony to first floor over approved flat roof. This application may affect the character & appearance of the Craigweil House Conservation Area.	ApproveConditionally 07-01-20

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

3 letters of objection received

- Important details are missing from the application.
- The estate owners have not given their agreement for any land to widen the verge.
- A sectional drawing is required to show materials and thickness.
- Matching bricks should be used.
- The applicant should show how it makes a positive contribution/ preserve the CA.
- Measurement of gateway entrance and drive cross over differ.
- No consent has been granted by CPEL to make any alteration or the width, construction or finish of the cross over.
- Verge does not run with the house and is owned by a third part who has given no consent.
- To have a gate open will block the footpath and there are no details.
- Will negatively impact the Conservation Area.

Conversation Area Advisory Committee provided no objection

- Precise details of the gate and pier should be submitted.

CHECAA (Craigweil House and its Environs Conservation Area Association) - provide an objection to the application.

- No justification for widening of the entrance
- The same bricks should be used for the rebuilding of the wall.
- The application fails to 'preserve or enhance the character or appearance of the area or its setting'.

Comments noted. A sectional drawing was received and uploaded online. The width of entrance is to be 3.5m as confirmed via email which has been uploaded. Ownership of the verge is a private matter however all works shown are within the red edge. No gate is proposed.

Documentation was also submitted with objections displaying various appeal decisions in the area. These were for fences and differ from the development proposed and each application is based on their own merits.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - There is a strong mixture of styles and houses are set back from the verges. A large area of grassed area is to be replaced. It is considered that the use of gravel is acceptable as it is appropriate for the character of the area. A landscape plan could ensure the green character is maintained. however on balance, it is not considered to cause harm to the significance of the heritage asset or their setting.

Tree Officer - The principle of development is achievable without undue detriment to the retained on and off site trees however without necessary arboricultural reports to demonstrate this , I must object.

Following this, the relevant reports were submitted and amended comments received 11/12/19

- The Tree Survey data is comprehensive and accords with the requirements. Description of the sleepers used is not included however can be addressed at a site meeting.

I recommend approval subject to conditions including, a pre commencement site meeting to ensure protection is in the correct location.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DSP1	D SP1 Design
SDSP2	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
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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 of the Arun Local Plan.

Aldwick does not have a Neighbourhood Plan however does have a Parish Design Statement. The property is located within Area 2.

DESIGN AND VISUAL AMENITY

The proposal seeks to extend the existing driveway. There is approximately 13m retained from the front boundary to the front of the property and therefore it will remove a large amount of grassed area and the change will be highly visible from the street scene.

There is an existing entrance and driveway which runs along the eastern side of the garden and this will increase in width to approximately 3.5m. This will result in an existing brick post being re-sited. This will be of materials similar to that which exists to ensure it appears integrated. The rear part of the front garden will also be gravelled to allow for cars to turn.

Whilst the gravel will alter the appearance, there are similar examples at nearby properties and it is not

considered out of character. There will be retention of some grassed area with planting. This grassed area will have a depth of around 8m and extend along the majority of the front boundary. This will help ensure the development retains green space in keeping with the Conservation Area.

Whilst the works will alter the appearance of the front, it is not considered to be significant with similar examples in the vicinity and therefore it accords with DDM1 of the Arun Local Plan.

CONSERVATION AREA

There is a strong mixture of styles and ages of properties, set back from the verges. A large amount is to be replaced with gravel hardstanding. The use is acceptable and appropriate to the character of the area, reflecting a number of other drives. The green character should be retained and the further information on the planting may be useful.

Paras 193 to 202 of the NPPF requires the LPA to consider the significance of the impact on the heritage asset. The proposal has limited impact as a result of the modest scale of the development and with other examples in the surrounding area. On balance, the concept of a large drive is considered acceptable and is considered to have no harm to the significance of the heritage asset in accordance with HERDM3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal is not considered to give rise to harm upon neighbouring amenity as a result of the type of development proposed.

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
- Tree Protection Plan - NJCL.576 B
 - Proposed Layout Plan (illustrative)
 - Location/Block Plan
 - Email dated 20/1/2020 confirming width of driveway.
 - Email dated 17/10/2019 showing construction cross section and confirming gate pillar design material.

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 the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) or site manager - at this meeting all protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan, drg. no. NJCL 576 B, 08.11.2019.

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 4 All activity at the site is to be carried out in strict accordance with: - Arboricultural Assessment and Method Statement, ref. NJCL 576, 8th November 2019.

- If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas or Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced on site.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area and in accordance with policy D DM1 of the Arun Local Plan.

- 5 Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010
Tree work - Recommendations:
- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010
 - Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.
- Reasons: In the interest of continued health and vitality of trees and to accord with current industry guidelines and sound arboricultural practice.
- 6 **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.