

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

REF NO: AW/25/21/HH

LOCATION: 149 Barrack Lane
Aldwick
PO21 4ED

PROPOSAL: Replacement conservatory to rear of property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace a conservatory to the rear of the property.
----------------------------	--

RELEVANT SITE HISTORY

AW/8/20/L	Listed building consent for the replacement of existing plastic rainwater goods with traditional cast aluminium rainwater goods comprising gutters, downpipes & all associated fixtures & fittings.	ApproveConditionally 05-03-20
AW/26/21/L	Listed building consent for replacement conservatory to rear of property.	
AW/185/19/L	Application for Listed Building Consent for a single storey side extension, porch to front, detached single storey outbuilding to rear to be used as a garden room, conversion of detached garage room from plat to pitched and alterations to fenestration.	ApproveConditionally 14-08-19
AW/184/19/HH	Single storey side extension, porch to front, detached single storey outbuilding to rear to be used as a garden room, conversion of detached garage room from flat to pitched and alterations to fenestration. This application affects the setting of a Listed Building.	ApproveConditionally 14-08-19
AW/161/14/L	Application for Listed Building Consent to replace & repair roof tiles & windows	ApproveConditionally 12-08-14

REPRESENTATIONS

Aldwick Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Built up area boundary
Grade II Listed Building.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
-------	---------------------------------

CONCLUSIONS**PRINCIPLE**

The key policies considered are DDM1, DDM4 and HERSP1 of the Arun Local Plan.

Aldwick does not have a Neighbourhood Plan however does have a Parish Design Statement with the property located within Area 3.

DESIGN AND VISUAL AMENITY

The proposed is situated to the rear of the property and as such is not visible from the wider area.

There is a conservatory which will removed and replaced with the proposed which is of similar size and appears subservient to the host dwelling.

The conservatory will have minor sloping roof and feature glazed elevations with bi fold doors to a depth of 4m and a height of 2.6m which is smaller than the existing.

Arun Design Guide was recently adopted which seeks to improve design in the area. The proposal is considered to comply with this, with the scale and massing appropriate to the size of the dwelling. Whilst the design is more contemporary than the existing conservatory, it is considered to respond to and complement the existing character and appearance of the dwelling which has changed over time and the design also allows for more of the listed rear elevation to be visible.

Due to the siting of the proposal to the rear and with the structure being largely replacement in nature, it is not considered to harm the appearance of the dwelling or wider area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed will have a depth of 4m which is around 0.8m larger than existing. It will have a height of around 2.6m. To the eastern side there will be a wall which will have a height of 3m where it adjoins the boundary to the neighbouring side. Due to the siting of the neighbouring property and with the conservatory largely replacement in nature, it is not considered to appear overbearing.

With the existing and proposed conservatory of similar size and both consisting of glazed elevations, it is not considered the proposed will result in adverse harm upon amenity additional to that which is already achieved. 12m is retained to the rear and 11m is retained to the western side boundary where it meets with the access road.

There will be a window to the eastern side however is shown as obscured on the plans to ensure overlooking is not significant. The remainder of the conservatory will allow for views over the garden of the host dwelling.

Due to the design and modest size of the development, it is not considered to result in harm upon amenity by way of overbearing, overlooking or overshadowing and accord with D DM1 and D DM4 of the Arun Local Plan.

IMPACT ON HERITAGE ASSET

The property forms a Grade II Listed building.

Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The property was previously part of a larger house but was created when that building was subdivided into two smaller properties at some point in the C.20. The history of the building during the second world war, has formed its significance as historic (illustrative). It is also considered to be significant due to its age of construction/appearance and design evolution. It is therefore also of aesthetic significance.

Para 190 requires the LPA consider the significance of the impact upon that heritage asset. The proposal is for a replacement conservatory to the rear of property. The existing conservatory is currently of more traditional appearance and construction. However, from the heritage statement, it was not present in the 1930's. The replacement conservatory is simpler and more modern in appearance than the existing structure and includes larger areas of glazing which allow for more of the rear elevation to be visible and as such is acceptable.

The application is considered to not cause harm to the significance of the heritage asset and as such accords with HERSP1 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
 - Design and Access Statement
 - Location and Proposed Plans - 1023/02
 - Proposed Plans - 1023/03

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.