

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** AW/260/17/HH**LOCATION:** 131 Manor Way
Aldwick**PROPOSAL:** Demolition of rear conservatory & erection of single storey rear extension. This application affects the character & appearance of the Aldwick Bay Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
TOPOGRAPHY	Predominantly flat but with the patio area is approx. 10-20cm above the level of the garden.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.5m high close boarded fence to no. 130. 1m high hedge to no. 132.
SITE CHARACTERISTICS	Link attached two storey dwelling with conservatory to the rear/off the side of the garage. White colour washed bricks, red/orange clay tiles. Covered seating patio area to western side of conservatory.
CHARACTER OF LOCALITY	This site lies in the Aldwick Bay Conservation Area - a private residential estate comprising detached properties on large plots of various styles and designs located within a mature landscape setting. No. 132 is considered to be potentially affected and has a the flank of a single storey part glazed rear extension facing the site with a bathroom window above. Blinds present to the ground floor flank window.

RELEVANT SITE HISTORY

AW/133/17/TC	Fell 1 No. Corsican Pine tree within the Aldwick Bay Conservation Area.	Objection 07-07-2017
AW/184/17/TC	Fell 1 No. Magnolia Tree & 1m Crown Reduction to 1No. Norwegian Maple in Aldwick Bay conservation area.	No Objection 01-08-2017

Noted.

REPRESENTATIONS**Representations received:**

One letter from the Aldwick Bay Company stating that the extension to the rear of the property will both add to and improve the accommodation and have no impact on the conservation area. The Company therefore supports the application.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

ADC CONSERVATION OFFICER - No comments received.

CONSERVATION AREA ADVISORY COMMITTEE (CAAC) - No objection.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area; and
Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

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

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

Conservation Areas
Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
HER SP1 The Historic Environment
HER DM3 Conservation Areas
SD SP1 Sustainable Development
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD2	Conservation Areas
SPD10	Aldwick Parish Design Statement

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 and is 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.

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. The examination was completed in September 2017.

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. 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.

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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.

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or

enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation 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

The site is located within the built up area boundary where the principle of extending a property is acceptable subject to normal development control criteria such as visual and residential amenity.

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design & layout and do not have an unacceptable adverse impact on adjoining occupiers. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene and be visually integrated with & sympathetically relate to the existing dwelling. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

Policy AREA2 of the Arun District Local Plan states that: "Planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting"

Regard is also to be had to the Aldwick Parish Design Statement. In respect of the Aldwick Bay Estate a number of criteria are given for extensions/alterations. These include:

- * Extensions sympathetically relate to and be visually integrated with, the existing building in siting, design, form, scale and materials;
- * Extensions should be visually subservient to the main building and must not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;
- * Materials matching the existing building should be used where appropriate; and
- * The extension should not compromise the established spatial character and pattern of the street scene.

The proposed rear extension will be very similar in footprint to the existing conservatory, just slightly deeper in the central part of the rear extension (5.3m as opposed to 4.7m). The extension is to be located at the rear of the property within an enclosed rear garden. It will not affect the appreciation of the heritage asset (the Conservation Area) from any public view points. Furthermore, the extension is subservient in scale to the existing building and will include matching colour washed bricks *& matching tiles. The extension will also not affect the amenities of adjoining neighbours

Therefore, the proposal is considered to comply with the relevant development plan policies and it is recommended that the application is approved subject to the following conditions.

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:

Sheet 1 of 3;
Sheet 2 of 3; and
Sheet 3 of 3.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The proposed colourwash brickwork and roof tiles to be used in the proposed extension shall match in colour and texture with those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 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.