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

REF NO: **AW/267/15/HH**

LOCATION: 68 The Drive
Aldwick

PROPOSAL: Minor Amendments to previously approved application AW/344/14/HH for extensions & alterations - This application affects the character and appearance of the Craigweil House Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to amend the original approval under AW/344/14/HH through the alteration of the rooflights design; the addition of 1 No. rooflight to the rear elevation of the property; addition of a spiral staircase on the rear elevation; various fenestration alterations; addition of solar panels on the rear elevation of the property; removal of the eastern staircase; and the increase in height of the roof by 0.22m.
SITE AREA	Approximately 0.15 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site consists of a 1.8 metre high brick wall with iron gates, the side and rear boundary of the site consist of 1.8 metre high brick walls and close boarded fencing with 4 metre high hedging on the eastern elevation of the property.
SITE CHARACTERISTICS	Large two storey dwelling set back from the highway constructed of brick with a brown tiled roof and white uPVC windows. The property features a rear balcony accessed by existing steps up from the garden. Two raised platforms exist on the western boundary with two sets of access steps. The property features an integrated double garage at ground floor level.
CHARACTER OF LOCALITY	Private residential estate within Craigweil House Conservation Area. Detached properties on large plots of various styles.

RELEVANT SITE HISTORY

AW/344/14/HH	Increase existing single storey side extension, clad external elevations with insulation & render, remove existing clay tiled roof & recover, 3 No velux windows within the north facing front roof elevation, 32 No new windows, 7 No new doors, reconstruction of first floor balcony, new external steps at rear of side extension, gable roof extension to existing first floor living room & external garden swimming pool. This application affects the character and appearance of the Craigweil House Conservation Area.	ApproveConditionally 22-04-2015

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Strongly objected on the grounds that the change to the east terrace screening under the application is for glazed frames and that this represents a change from the Discharge of Condition 5 listing insulated blockwork and rendering for this purpose.

Updated consultation response received from Aldwick Parish Council 11th December 2015:
No Objection.

Conservation Area Advisory Committee:
No objection

3 No. letters of objection:
(1) The proposed alterations will adversely impact upon 'Shore Cottage' a heritage asset.
(2) The grey weatherboarding will have an adverse impact upon the heritage asset and conservation area.
(3) Proposal fails to preserve or enhance the Conservation Area or its setting.
(4) The proposed LED downlights are considered harmful to the character of the conservation area and conflicts with policy GEN7 of the Arun District Local Plan.
(5) The proposed balconies are in conflict with policy GEN7 of the Arun District Local Plan.
(6) Unacceptable overlooking of the properties located to the north and of 70 The Drive.
(7) In conflict with policy GEN19 of the Arun District Local Plan.
(8) Proposed balcony on north-east elevation is not required and its omission would resolve privacy issues of No. 70.
(9) Proposal is in conflict with policies DEV19 (iii) and (v) of the Arun District Local Plan.
(10) Proposal is in conflict with policy GEN7(iv) of the Arun District Local Plan.
(11) Proposal is in conflict with policy AREA1 of the Arun District Local Plan due to the proposed materials.
(12) Proposal causes harm to the character and appearance of the Conservation Area.
(13) Proposed alterations are in conflict with para 1.2 and 1.4 of Supplementary Planning Guidance and Section 69 of the Planning (Listed Buildings and Conservation Areas Act) 1990.
(14) The proposed glazing will result in unacceptable glare which will impact upon the locally listed house of character.

(15) The proposed weatherboarding will be out of character and context and appear incongruous within the street scene.
(16) The proposed balcony on the north-eastern elevation will result in unacceptable overlooking and loss of privacy for No. 70 The Drive and serves no purpose given the alterations to the internal layout of the property.

Comments on Representations received:

Comments from the Parish Council are noted. AW/344/14/HH required the submission of details in relation to obscured screening to a height of 1.8m on the eastern elevation of the raised roof terrace. When this condition was discharged it was proposed that block work would be used to achieve this. This application proposes obscure screening, the use of obscurely glazed screening to a height of 1.8m in lieu of block work is not considered to result in any additional visual or residential amenity harm.

In response to the letters of objection:
(1) It is acknowledged that any development in close proximity to a Heritage Asset has the potential to adversely impact upon its character and context. Therefore, this element of the proposal will be considered in detail in the conclusion of this report.
(2-5)These aspects of the proposal will be considered further in the conclusion.
(6) The proposal includes screening to the proposed balcony at a height of 1.8 metres. Therefore, it is not considered to result in unacceptable overlooking.
(7) policy GEN19 of the Arun District Local Plan is not considered relevant in the determination of this application.
(8) The proposed screening is considered adequate to resolve potential overlooking and any loss of privacy. The Local Planning Authority cannot consider the necessity of proposed alterations.
(9-15) These aspects of the proposal will be considered further in the conclusion section of this report.
(16) The proposed screening is considered adequate to prevent overlooking due to its proposed height and the materials used in its construction.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Council's Conservation Officer:
Objection
The property is located within both an Area of Special Character and a Conservation Area. In addition, it is located next to a Locally Listed Building or Structure of Character. As such, the proposal has the potential to affect a number of different heritage assets.

A heritage asset is defined as being: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

As a result, a scheme should be prepared that preserves or enhances the character or appearance of the conservation area, whilst also making a positive contribution to both the Area of Special Character and the neighbouring Building or Structure of Character.

In addition, it should be remembered that the property backs onto the beach. Therefore, both the front and rear elevations are visible from the public domain. Consequently, the proposal has the potential to have a greater visual impact.

It is noted that the property has already received consent for a substantial number of works. The proposal appears to consist of a mixture of revised proposals along with the introduction of a number of some new elements.

Having reviewed the current plans, it is considered that the proposal is problematic for a number of reasons.

A noteworthy element of the conservation area is the lack of street lighting. As a consequence, the area maintains a tranquil character with little light pollution. The installation of LED downlights into the eaves soffit at 2m centres is considered to conflict with this established character. The introduction of the lighting will be visible from both the street to the front and the beach to the rear. It is therefore considered that such a feature is harmful to the various heritage assets affected by this proposal.

The rear elevation includes a revised balcony with a spiral staircase, glass screening, roof-light and solar panels. It is considered that this results in a visually cluttered elevation. The solar panels cover a considerable amount of the roof and are not considered to make a positive contribution to the property or the area.

The introduction of grey windows is problematic in that it does not reflect those found within the neighbouring properties or the conservation area generally. The use of such a colour is further enhanced through the introduction of the grey Marley Eternit cladding. This cladding covers a substantial amount of both gable elevations and the 'bay; window on the southern elevation. Both elements are therefore considered to be harmful and detract from the character of the conservation area.

In addition, the combination of coloured materials is harmful; the use of white render, grey windows and cladding along with a brown roof results in an unsympathetic colour combination. It is suggested that an alternative colour to the proposed grey should be used.

The Design and Access Statement also makes reference to a revised driveway/hardstanding. This is the only information provided, and it is not considered adequate enough in which to fully assess the impact.

Council's Conservation Officer - Amended comments 30th November 2015:
These comments refer to the revised plans. The removal of the grey windows, downlights and weatherboarding is supported.

It is noted that the height of the roof is to be increased by exactly 22cm. The applicant has not made it clear if this increase in height will impact upon the neighbouring properties. It is considered that such an increase in height is unlikely to be overtly detrimental to the property or the local area.

The use of a cream coloured render is considered acceptable.

Comments on Consultation responses:

The objections raised above were resolved via amendment on the 19-11-2015 which removed the proposed down lights in the soffit, grey windows and weatherboarding on the gable ends. A subsequent amendment submitted to the Council on the 23-11-2015 has seen the height of the proposed dwelling increased by 0.22m due to construction requirements.

Further comments from the Council's Conservation Officer were received on the 30-11-2015. No objection was raised in relation to the proposed increase in height and the earlier amendments dated 19-11-2015 were supported.

POLICY CONTEXT

Designation applicable to site:
Tree Preservation Order
Conservation Area
PD Restriction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	AREA1	Areas of Special Character
	AREA2	Conservation Areas
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN22	Buildings or Structures of Character
	DEV19	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) HER DM2 Locally Listed Buildings or Structures of Character HER DM3 Conservation Areas HER DM4 Areas of Special Character HER SP1 The Historic Environment 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
SPD8	Areas of Special Character
SPD9	Buildings or Structures of Character
SPD2A	Craigweil House, Aldwick, Conservation Area Statement
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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can

carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Aldwick have not prepared a Neighbourhood Plan but have published a Parish Design Statement.

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 and will preserve 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

PRINCIPLE:
The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the relevant policies in Arun District Local Plan which in this case are policies GEN7, AREA1 and AREA2 which seek to prevent development that would have an adverse impact upon visual and residential amenities and fails to preserve or enhance the character and appearance of the Conservation Area and its setting.

DESIGN AND VISUAL AMENITY
This application proposes a number of alterations to the proposal as approved under reference AW/344/14/HH. Most notable and potentially harmful to the character and appearance of the Conservation Area, was the addition of grey cedral weatherboarding to the property. Objections were received from the Conservation Officer to some of the proposed materials and the proposal was amended with substitute drawings submitted on the 4th November 2015. These amendments removed the grey cedral weatherboarding, downlights in the soffits and the grey aluminium windows. These alterations have had a considerable benefit upon the scheme ensuring the proposal preserves the character and appearance of the Conservation Area and ensuring the property does not have an adverse impact upon the Locally Listed Building to the west of 68 The Drive.

A number of alterations to AW/344/14/HH are made within this application:-
· Removal of 2 No garage doors and centre brick pier and replacement with larger single door;
· Cladding of external elevations with insulation and render, rather than just render;
· Alteration of rear balcony to consist of frameless glass balustrade;
· Installation of 1.8m high obscured glass panel at 1.8m on western end of the rear balcony;
· Installation of PV solar panel system to southern roof slope;
· The additional of a rooflight on the southern elevation of the property;
· Removal of the existing stair case located to the rear of the eastern side terrace;
· Provision of 1.8m high obscured glazed screening on the side terrace to prevent overlooking of neighbouring properties;
· Increase in width of the southern balcony by an additional 600mm to the west;
· Installation of a spiral staircase on the southern elevation of the property;

The proposed rendering to provide greater insulation and energy efficiency has been considered by the Conservation Officer and was determined to preserve the character of the Conservation Area in accordance with Policy AREA2 of the Arun District Local Plan.

The alterations to the garage door and addition of a ground floor side door on the west elevation is acceptable and has no adverse impact upon the character or appearance of the dwelling.

Concerns were raised by the Conservation Officer in relation to the south elevation of the property and cumulative effect that the proposed rear glazing and solar panels would have upon the property when viewed from the beach. It must be considered that the amount of glazing on the southern elevation has been minimally increased from the earlier approval (AW/344/14/HH) with solar panels being the major addition on this elevation. Consideration must be given to the fact that the solar panels could be installed at the property under Schedule 2, Part 14, Class A of the Town and Country Planning (General Permitted Development) Order 2015 without the need for an application.

The proposal under AW/344/14/HH included the addition of a glass balustrade to the southern balcony. The proposed alteration to extend the rear balcony by 600mm and feature a frameless glass balustrade will appear subservient and well integrated with the appearance and character of the property and is therefore deemed to be in accordance with policy AREA2, GEN7 (ii) and DEV19 (i) & (ii) of the Arun District Local Plan.

The spiral staircase to the rear appears subservient to the host dwelling and will replace both staircases previously present on the rear elevation. This is considered an improvement to the appearance of the dwelling with the spiral staircase appearing subservient to the host dwelling and far less intrusive than the existing staircases. This aspect of the proposal is considered to be in accordance with policies GEN7(ii) and DEV19 (i) & (ii) of the Arun District Local Plan.

The application makes reference to the replacement of the existing driveway but it is intended that this will be the subject of a further application and as such does not form part of this approval.

Consideration must be given to the location of the neighbouring dwelling a Locally Listed Heritage Asset. The proposal has been amended with the cedral weatherboarding and grey windows having been removed from the application, these amendments are considered to have a positive impact upon the proposed development. The materials proposed are now render for the walls and brown interlocking concrete tiles for the roof. These materials have been deemed acceptable by the Conservation Officer. The proposed development is not considered to have a harmful impact upon the character of this heritage asset and as such the proposed development is deemed to be in accordance with policy GEN22 of the Arun District Local Plan as the setting of the Heritage Asset will not be adversely harmed.

RESIDENTIAL AMENITY
The primary objection from local residents in relation to the impacts of this application upon residential amenity relates to the eastern terrace and the potential for overlooking of number 70 The Drive. However, it is considered that the measures implemented in this proposal are adequate to ensure that the residential amenity of neighbours is preserved. The installation of obscured screening to a height of 1.8m on the eastern elevation of the terrace will prevent any overlooking and ensure the proposal is in accordance with policies GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

Similar screening has been proposed on the west side of the southern balcony which will prevent harmful overlooking of the rear of No. 66 in accordance with relevant local plan policies.

The alterations are not considered to give rise to any unacceptable adverse overshadowing, overbearing or overlooking impacts upon residential amenity and the proposal is deemed to be in accordance with policies GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

AMENDMENT 23-11-2015
On the 23-11-2015 amended plans were submitted in relation to the increase in height of the roof due to construction issues. Therefore, the proposed roof will measure an additional 0.22m in height as shown on drawing no. 'PL1 D 23-11-2015'. This increase in height of the roof is not considered to have an unacceptable impact upon the design and character of the existing dwellinghouse. The proposal will be comparable in height to neighbouring properties and as such will not appear overly dominant or prominent within the street scene. The additional ridge height is not considered to result in any additional harm to the setting of the locally non-designated

Heritage Asset to the west.

The proposed increase in height of the roof will not result in adverse overlooking, overshadowing or overbearing impacts upon neighbouring properties. Although the application dwelling is set forward of neighbouring properties, there is considered adequate separation that this minimal increase in height will not adversely impact the residential amenity of neighbouring properties.

Therefore, the proposal is considered to be in accordance with policies GEN7(ii) & (iv); DEV19(I), (ii) & (iii); and GEN22 of the Arun District Local Plan.

SUMMARY
The proposed alterations to the dwelling are considered to preserve the character and appearance of the conservation area in accordance with policy AREA2 of the Arun District Local Plan and not to cause any unacceptably adverse impacts upon the Locally Listed Building to the west of the site in accordance with policy GEN22.

The proposals are also considered to appear subservient and well integrated with the original dwelling and will not unacceptably impact upon the spatial pattern of the street scene or give rise to unacceptable impacts upon the residential amenity of neighbouring properties. Therefore, the proposal is considered to be in accordance with policies GEN7(ii) & (iv) and DEV19 (i), (ii), (iii) & (v) of the Arun District Local Plan and policy Area 2 of the Aldwick Parish Design Statement.

Therefore, it is recommended that planning permission is granted for the proposed development subject to the below 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 for 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 no impacts have been identified upon any 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 & Block Plan, Proposed Floor Plans & Roof Plan, Proposed Elevations - PL1 D 23-11-2015

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 Prior to the installation of the windows full details of their construction, operation and fenestration will be submitted to and approved by the Local Planning Authority and the windows so approved shall be used in the construction of the dwelling.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and setting of the Locally Listed Building in accordance with policies GEN7, GEN22 and AREA2 of the Arun District Local Plan.

4 Prior to the installation of the balcony screening a schedule and sample of the proposed glazing for the balconies shall be submitted to and approved by the Local Planning Authority and the materials and details so approved shall be used in the construction of the balustrade.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and setting of the Locally Listed Building in accordance with policies GEN7, GEN22 and AREA2 of the Arun District Local Plan.

5 The 1800mm high obscurely glazed/frosted/etched balustrade on the western elevation of the southern boundary and the 850mm high obscurely glazed/frosted/etched balustrade on the eastern elevation of the side raised terrace shall both be retained in perpetuity in accordance with the details shown on approved drawing PL1 D.

Reason: For the avoidance of doubt and in the interests of residential amenity in accordance with policy GEN7 and DEV19 of the Arun District Local Plan.

6 No associated construction activities or storage of materials shall take place within the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) of any protected trees within the curtilage of 68 The Drive without prior written approval of the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

7 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.