

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

REF NO: **AW/62/15/HH**

LOCATION: 53 Kingsway
 Aldwick

PROPOSAL: Conservatory & double entrance doors. Amendment to previous permission AW/201/14/HH. This application affects the character & appearance of Craigwell House Aldwick Conservation area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed rear conservatory has a width of 6.4m, depth of 3.2m and a maximum height of 3.7m, eaves height of 2.7m.

Revision to the entrance doors, double entrance doors in lieu of single entrance door.

SITE AREA

Approximately 480 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Front is open to the highway with tarmac driveway, side No 55 has dwarf brick wall to front then close boarded fencing approximately 1.8m in height, west side boundary has shrubs then close boarded fencing approximately 1.8m in height, rear boundary has wall approximately 1.8m in height with tree screening.

SITE CHARACTERISTICS

Two storey detached property with front gable, two storey flat roof extension on the eastern side. At the time of the officer's visit the three single storey additions had been removed on the rear and the two storey flat roof extension was being altered. The property has brick elevations with rendered walls on the rear and side, clay tiled roof with white window frames.

CHARACTER OF LOCALITY

Within the Craigwell House Conservation Area and Area of Special Character. Private residential estate comprising a mixture of predominantly detached properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

PAA/22/14/	Pre-application advice for extension and roof conversion	Refuse Pre App 07-03-2014
AW/201/14/HH	Two storey front and rear extension and roof conversion. This application affects the character and appearance of the Craigweil House Conservation Area.	ApproveConditionally 19-11-2014
AW/347/14/DOC	Application for approval of matters reserved by condition imposed under AW/201/14/HH relating to condition 3 for schedule of materials and finishes.	DOC Approved 21-01-2015
BR/24/50/A	Detached house and garage	ApproveConditionally 03-02-1953

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members have no objection to the application.

1 Letter of Objection

This was not on the original approved development and brings the building even closer to us.
Also the pitch of the glass roof is too high making it too visible to neighbours.

Comments on Representations received:

Objection comments

Whilst the roof may be visible above the boundary screening with adequate distance maintained to neighbouring properties it is not considered that this would create a loss of outlook to recommend refusal.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee

No objection

Conservation Officer

The proposal represents a further rear extension to the property. However, it is acknowledged that it would not be visible from the public domain.

The revisions to the front of the property are minor, but their success will depend upon the quality of the materials used and the details of the windows and doors. Please condition details of the windows and doors.

As a consequence, it is considered that the proposal would have a neutral impact upon the Conservation Area.

Relevant policies:

Arun District Local Plan 2003:

Area 1: Areas of Special Character

Area 2: Conservation Areas

Emerging Local Plan 2014:

Policy HER SP1 The historic environment

Policy HER DM3 Conservation Areas

Policy HER DM4 Areas of Special Character

Relevant SPD's:

Conservation Areas Supplementary Planning Guidance Note

Areas of Special Character Supplementary Planning Document

Comments on Consultation responses:

Conservation Officer's comment noted

If approved, a condition will be imposed regarding details to be submitted of the new entrance doors. Window details have been submitted and discharged under AW/347/14/DOC.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Within the Craigweil House Conservation Area

Area of Special Character

Tree Preservation Order

No Public Sewer

Article 4 Direction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: AREA1
AREA2

Areas of Special Character
Conservation Areas

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)
D SP1 Design
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

SUPPLEMENTARY POLICY GUIDANCE

SPD2	Conservation Areas
SPD8	Areas of Special Character

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; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

There is no Aldwick Neighbourhood Development Plan under preparation.

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

The application seeks to amend the previously approved application AW/201/14/HH which was for a two storey front and rear extension with roof conversion. The submitted plans now propose a conservatory on the rear with double entrance doors in lieu of a single entrance door.

At the time of the officer's visit the development was under construction. The proposed conservatory will be sited in the middle of the dwelling adjacent to the approved extension and will measure approximately 6.4m, depth of 3.2m with an eaves height of 2.7m and maximum height of 3.7m. It will be substantially glazed and constructed on a dwarf brick wall matching the existing brickwork.

The proposed conservatory will be sited approximately 6.5m from the neighbouring property to the west No 51 and 9.5m from the neighbouring property to the east No 55 and the neighbouring property to the rear No 3 Wychwood Walk is sited approximately 11m away. With adequate distances maintained to neighbouring properties it is not considered that this would create a loss of daylight or outlook to recommend refusal.

The new entrance which is now to be sited in the middle of the dwelling has previously been approved under AW/201/14/HH. The application seeks to replace the single entrance door with double doors. It is not considered that this minor alteration would detract from the character and appearance of the host dwelling.

The proposed increase in footprint of the proposed conservatory to the existing house is not considered to be an over development of the site and adequate distances are maintained to neighbouring properties.

Policy Area 1 Areas of Special Character of the Arun District Local Plan states that the development should make a positive contribution to the special character of the area. Policy Area 2 Conservation Areas Conservation Areas states that any development should preserve or enhance the character or appearance of a Conservation Area and its setting. In the officer's view the proposed alterations would have a neutral impact on the Area of Special Character and would preserve the character and appearance of the Conservation Area.

It is therefore recommended to approve the application, subject to 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 a neutral impact has 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).

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 received on 13th May 2015.

Location 1:1250.

Site 1:100 Drg No 13-SKC-SP Rev B..

Existing/Proposed Floor/Existing Roof 1:100 Drg No 13-SKC-02 Rev H.

Existing/Proposed Elevations 1:100 Drg No 14-SKC-03 Rev G.

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 materials and finishes of the external walls of the conservatory hereby permitted shall match in colour and texture those of the existing brickwork.

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

- 4 No development shall be carried out until details of the new entrance and doors are

submitted to and approved by the Local Planning Authority and the details so approved shall be used in the development.

Reason: To control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy GEN7 of the Arun District Local Plan.

- 5 **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.