

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

REF NO: AW/82/18/HH

LOCATION: 232 Manor Way
Aldwick
PO21 4HT

PROPOSAL: Proposed cladding to upper side & rear elevations. This application affects the character and appearance of Aldwick Bay Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to add cladding to the upper sides and rear elevation of the property.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the property has hedging and driveway access. The rear and side boundaries consist of hedging and fencing around 1.8m in height.
SITE CHARACTERISTICS	The site is occupied by a large detached two storey property with white cladding on the upper level to the front only.
CHARACTER OF LOCALITY	The area is predominately residential with a mix of housing types and styles within Aldwick Bay Conservation Area.

RELEVANT SITE HISTORY

AW/321/14/HH	Retention of cladding to part of front elevation. This application affects the character and appearance of the Aldwick Bay Conservation Area.	Approve 22-01-15
AW/260/01/	Conservatory to rear	ApproveConditionally 12-02-02

Relevant site history noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council provided no response
 No representation from nearby occupiers
 Conservation Area Advisory Committee provided no response.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

- The conservation area is characterised by several architectural elements, including the style and spacing of properties, open space and material palette. It is considered that the proposed plastic cladding would represent an alien presence in terms of plasticised finish and either smooth or wood grain effect (not seen in traditionally finished timber boards).
- It is considered that the proposal fails to respect or enhance local distinctiveness and does not adequately respond to local material or character. It is also considered that the proposal fails to enhance the character of the Conservation Area or its setting and is detrimental to same.
- It is therefore considered that the proposed would be detrimental to the character of the Conservation Area and recommend that this application be refused.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. However due to the presence of the cladding on the front elevation and the limited impact the proposed cladding would have on the street scene it is not considered that the application causes sufficient harm to the character or appearance of the Conservation Area. This decision is based on the merits of this application alone and would not set a precedent for other dwellings.

POLICY CONTEXT

Designation applicable to site:
 Tree Preservation Area
 Conservation Area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

AREA2	Conservation Areas
GEN2	Built-up Area Boundary

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

HER DM3	Conservation Areas
D DM1	Aspects of Form and Design Quality
SD SP2	Built -Up Area Boundary
D SP1	Design

PLANNING POLICY GUIDANCE:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

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.

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).

Aldwick does not have a made neighbourhood plan but does have a Parish Design Statement which has been a consideration in this application,

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

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

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. In this case the key policies considered are GEN7 and AREA2 of the Arun District Local Plan, Area 1 of the Aldwick Parish Design Statement and the National Planning Policy Framework.

The application site is within a Conservation Area and therefore does not benefit from permitted development.

DESIGN AND VISUAL AMENITY

The property has existing cladding to the front of the dwelling which was approved on a previous application and this proposal will continue to use the same material from the upper level of the property to the rear and side elevations and therefore it will appear visually integrated. The cladding to the rear of the property wont be seen from Manor Way and the side elevations will only be seen at certain angles.

There are a number of neighbouring properties in the area which also have cladding to the front of the property, similar to what is proposed and therefore it is not considered to be out of keeping with the area. The property is set back from the road and it is not considered to materially harm the appearance of the dwelling and would preserve the character and appearance of the Conservation Area and therefore is in accordance with GEN7, AREA2 and Area1 of the Aldwick Parish Design Statement.

NEIGHBOURHOOD RESIDENTIAL AMENITY

The proposal is not considered harmful to the neighbouring amenity and is not unduly dominant.

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. By reason of the position of the cladding and the presence of the cladding to the front of the building it is considered that the application preserves the character and appearance of the Conservation Area.

HUMAN RIGHTS ACT

FOR APPROVAL

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
 - Location Plan - D
 - Block Plan - C
 - Elevation - B2
 - Elevations - B1

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 **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.