

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

REF NO: PO/6/21/HH

LOCATION: The Old Vicarage Coach House
Poling Street
Poling
BN18 9PT

PROPOSAL: Erection of conservatory to rear. (This application may affect the character and appearance of the Poling Conservation Area)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The conservatory is located within the walled garden of The Old Coach House. It would project 3.5m from the west elevation and have a width of 4m. It would be constructed of low level brick work and white upvc to match the existing dwelling.

RELEVANT SITE HISTORY

PO/2/17/PL	Single storey rear extension, porch extension & 11 No. rooflights in existing & proposed roof to create 1 No. self contained dwelling (resubmission following PO/1/17/PL). This application affects the character & appearance of the Poling Conservation Area & may affect the setting of a listed building.	ApproveConditionally 13-09-17
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REPRESENTATIONS

No representations received.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Adjacent to Listed Building
Outside of the BUAB
Within Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD2	Conservation Areas

CONCLUSIONS**PRINCIPLE**

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

VISUAL AMENITY

The development has an eaves height which is below the eaves height of the dwelling and the conservatory would be located 7.1m from the site frontage behind a high wall and gate. The conservatory uses materials which are similar to the host dwelling and of appropriate design, due to these factors the conservatory is considered to appear subservient to, and well integrated with the host dwelling.

As a result this proposal is not considered to result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the Design Guide. Also section M, referring to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling.

RESIDENTIAL AMENITY

The proposed conservatory would comply with policy D DM1 and D DM4 of the Arun Local Plan in that it does not present an opportunity to be overbearing to the host dwelling or its locality or overshadow or overlook neighbouring properties. The Old Vicarage Coach House is located within a walled garden.

HERITAGE ASSETS

The application is considered not to cause harm to the significance of the nearby listed building and as a consequence will be determined in accordance with the relevant plan policies. It does not adversely

affect the setting of the listed building or the character and appearance of the conservation area given that it is contained within a separate walled development and would not be readily visible given its height and the surrounding visual barrier.

The new development would preserve and enhance the special character of the area by providing a structure that is in keeping with the appearance of the area and which does not dominate the street scene in accordance with policy HER DM3 of Arun Local Plan.

The NPPF requires Local Planning Authorities to identify and assess significance of a Heritage Asset that may be affected by proposals (paragraph 195). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.

Paragraph 203 of the NPPF requires the balancing of proposals which affect the significance of non-designated Heritage Assets, having regard to the scale of the harm. It is not considered that the proposal would cause harm to the significance of the Heritage Asset. Consequently, the balancing exercise required to be undertaken as part of this paragraph of the NPPF is not required.

The proposals have sought to minimise the impact of the proposals on the significance of the designated Heritage Assets and make a positive contribution to local character as required by para197(c) of the NPPF which states Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

The proposed rear extension will not harm the significance of the heritage asset and is considered to preserve the appearance of the Conservation Area and accords with HER DM1 and HER DM3 of the Arun Local Plan and the NPPF.

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.

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.

CIL DETAILS

This application is not CIL Liabie therefore developer contributions towards infrastructure will not be required (dependant on any exemptions or relief that may apply)

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 plan:

Plans 1317.01.

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.