

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

REF NO: AB/101/21/HH

LOCATION: 43 Torton Hill Road
Arundel
BN18 9HF

PROPOSAL: Erection of two storey side/rear extension, porch to front with associated alterations to fenestration and drainage works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Demolition of exiting Garage and the construction of two storey side and rear extension measuring approximately 12.8m in length by 4.8m in width.
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RELEVANT SITE HISTORY

AB/64/20/HH	Two storey side/rear extension, porch to front and new crossover to front with associated alterations to fenestration and drainage works.	ApproveConditionally 27-08-20
AB/1/20/HH	New front porch and upper floor side extension together with internal alterations and all associated drainage works. Creation of a new pedestrian and vehicular access with drop kerb	ApproveConditionally 11-03-20
AB/67/09/	New open porch, alterations to utility room, single and two storey rear extensions.	ApproveConditionally 11-08-09

REPRESENTATIONS

Town Council - Objection

- It does not meet the requirements of Section M of the Arun District Design Guide page 117.

Neighbour - Objection

- Privacy in to existing rooflights will be compromised by velux rooflights to proposed.
- Privacy in to side/rear gardens will be compromised by overlooking windows.
- Works encroach on party wall
- Request drainage is conditioned not to run off on to property.

Privacy and overlooking issues will be determined against policy. Concerns of party walls and water runoff are a private/building regulation matter and will not be considered in this application.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

BUAB

2km buffer zone SSSI

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)

[Arundel Neighbourhood Plan 2018-2031 AR1](#)

Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, side extension should also be subservient to the host dwelling and respect the space between buildings.

Arundel has a made Neighbourhood Plan with policy AR1 of relevance to the application. The proposal complies with this policy being located within the built up area boundary.

DESIGN AND VISUAL AMENITY

The proposal seeks to provide a two-storey side and rear extension protruding from the southern

elevation. It will extend 4.8m from the side wall and protrude 3.4m past the rear wall and run the length of the existing house. To enable construction an existing garage will be required to be removed from the southern elevation. The amount of habitable space provided by the development is deemed appropriate when considered against the existing dwelling and the good-sized plot on which the property sits.

The existing space about the buildings in this location is good and it is not thought that the spatial character will be compromised further to the works taking place.

The ridge and eaves height of the proposed will be equal to that of the existing house, and it will be built from materials already found on the existing building.

Although the extension goes against the advice as set out in design guidance, as its frontage sits flush with the existing front elevation of the house, this is not deemed to be a reason for refusal. The fact that a considerable portion of the extension is built on land previously occupied by the garage and due to the highest parts of the proposed roof structure being designed in such a way that it slopes sharply away into the host dwelling has the effect of the extension being subservient to the host dwelling. As such it is considered not to negatively impact the street scene.

Having regard to the design and visual amenity, the proposal is deemed to accord with DDM1 and DDM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

Design guidance states that side extensions should be designed to minimise the impact on neighbouring properties and policy proposes extensions on streets characterised by small gaps at first floor level, should be built 1m away from the boundary. The space between buildings in this location is not considered small and therefore it is determined that less weight shall be given to this criterion within policy. The parish have objected to this proposal based on their view of the guidance.

The proposed structures roof extends sharply away from the neighbouring property and the eaves level will sit atop the revised parapet party wall shared with No. 45 Torton Hill Road. To enable the extension an existing garage, which also sits on the party wall is being demolished, the flat roof to this garage sits approximately 2.7m above ground level at this point and runs 6m along the boundary. The height of the proposed parapet wall will be approximately 1.7m higher and will run 7.4m along the boundary. From the parapet wall the roof slopes sharply upwards towards the host dwelling. The new extension is deemed not to be overbearing on No.45 as it will replace the similarly scaled garage which also sits on the boundary. Furthermore, as the roof slopes sharply away from the boundary, it is suggested that this complies with guidance by having the effect of moving the bulk off the first floor away from No.45.

As the rear portion of the extension sits away from the boundary and backs onto a timber outbuilding in the neighbouring garden, this is also deemed not to be overbearing on No.45.

As No.45, the closest neighbours to this development are located to the south, it is felt that the extension will not overshadow the property.

In terms of overlooking, the neighbours of No.45 have commented that their privacy will be negatively impacted due to views into their property from the velux roof windows and into their garden space from the rear window of the proposal. The bottom of the velux windows will be positioned at approximately 3m above finished floor level, as such they will be far higher than normal eye level and will not afford the occupants of No.43 with any overlooking opportunities. The rear window proposed to the first floor will increase overlooking to the back of the rear garden however, this effect will be minimal and not effect privacy levels immediately adjacent to the house. Additionally some views already exist to the row of properties along the street as such it is deemed that no adverse overlooking will occur from the

development.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

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 CIL Liable therefore developer contributions towards infrastructure will 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 plans ;

- Location and Block Plan 1.00 Rev E
- Proposed Site Plan 2.00
- Proposed Plans 2.01 rev B
- Proposed Elevations 2.02 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

- 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.