

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

REF NO: AB/105/20/HH

LOCATION: 36 King Street
Arundel
BN18 9BW

PROPOSAL: Construction of greenhouse in rear garden. This application affect the character & appearance of the Arundel Conservation Area & affects the setting of listed buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION A greenhouse 2.6 metres by 4.00 metres in floor area.

REPRESENTATIONS

Arundel Town Council - No objection.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CONS AREA

LB GRADEII

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, AR1 of the Arundel Neighbourhood Development Plan.

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 HER DM3 ensures that development will only preserve or enhance the character of the Conservation Area of which they area within, or affect the setting of.

Policy HER DM1 proposals affecting statutory listed buildings will be required to protect and where possible enhance the setting of the building.

DESIGN AND VISUAL AMENITY

The proposed greenhouse is not considered to result in any harmful impact on the character of the host dwelling or its locality due to its minor scale. The greenhouse would be located at the rear of the garden of the dwelling, and therefore there will be no views of it from public vantage points and therefore it would not be considered to result in a harmful impact upon the area,

The development is considered to be in accordance with D DM1, HER DM1 and HER DM3, of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework requires such information to be provided in order to assess the impact of the proposal on these assets. In this instance the development does not cause harm to the conservation area in which it is sited, or neighbouring listed buildings. This is due to the modest scale of the proposal, its location and the use of materials allowing the proposal to have no significant presence in the Conservation Area nor does it have an adverse effect on the setting of nearby Listed Buildings.

NEIGHBOURING RESIDENTIAL AMENITY

The construction of a greenhouse at the end of the garden would not result in any significant overbearing or overshadowing impact upon the occupiers of neighbouring dwellings due to the distance of seperation between the greenhouse and the rear of any nearby properties.

The development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following 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 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:

General Arrangement Drawing dwg.no.HB22473-001 Issue A dated 08.09.2020
Block Plan received on 12/10/2020

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.