

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

REF NO: AB/107/21/HH

LOCATION: 188 Fitzalan Road
Arundel
BN18 9JZ

PROPOSAL: Erection of a single storey summer house and associated works

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Erection of summerhouse to rear garden measuring approximately 6m in length by 4m in width and with an overall height of 4.5m

REPRESENTATIONS

Parish Council - No Objection

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:
Outside of Built Up Area Boundary
2KM Buffer Zone

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)
CSP1	C SP1 Countryside

[Arundel Neighbourhood Plan 2018-2031 AR1](#) Arundel Built Up Area Boundary

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.

Policy C SP1 relates to development outside of the BUAB where permission will only be granted subject to certain criteria being met which amongst other things covers, quiet enjoyment and informal recreation, or, if its is in accordance with other policies within the plan. The council will account for the cumulative impact when considering proposals.

Arundel has a made Neighbourhood Plan with policy AR1 of relevance to the application. The proposal does not comply with this policy, however as a minor development within a defined settlement it is considered not to harm the countryside location.

DEVELOPMNET OUTSIDE OF THE BUILT UP AREA

The proposal will allow the occupiers quiet enjoyment of their garden and the river beyond. It also accords with the Arun Local Plan policies D DM1 and D DM4 in relation to development within the curtilage of an existing dwellinghouse, as such it is considered to accord with policy C SP1.

DESIGN AND VISUAL AMENITY

The proposal is for a summerhouse to the rear garden of the property, adjacent to the banks river Arun. The property is afforded a long rear garden like others in the street, this proposal will not negatively alter the spatial character of the back gardens as various other outbuildings can be found within neighbouring properties.

The design of the outbuilding is considered appropriate for its location and it is believed to have an attractive design which relates well to a traditional boat house. The materials chosen to construct the building are well suited and relate well to its riverside setting.

The space provided is considered proportional to the size of the rear garden and its intended use.

Having regard to the design and visual amenity, the proposal is not deemed to adversely impact the existing house in accordance with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed structure will be located at the bottom of the rear garden adjacent to the bank of the River Arun, this is approximately 30m away from the rear elevation's of the properties along Fitzalan Road. At 4.5m high, it is taller than Permitted Development allowances however only by 500mm, as the location is semi rural and there are only neighbours to the north and south it is considered acceptable.

Given the large separation distances between the building and the dwellings on Fitzalan Road it is believed that it will not be overbearing or overshadow any of the habitable accommodation, or areas immediately adjacent to these.

The building will have fenestration facing back towards the dwellings and out towards the river, as the windows are to serve ground floor accommodation, no negative impacts from overlooking are foreseen.

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.

CONCLUSION

For the reasons outlined above the proposal accords with development plan policy and consent is therefore recommended 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.

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 Plan 00.01A
- Block Plan 02.03
- Proposed Plans 02.04

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.

- 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.