

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

REF NO: AB/110/20/HH

LOCATION: 42 Dalloway Road
Arundel
BN18 9HW

PROPOSAL: Conservatory to side elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Town Council - No objection

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Tree Preservation Orders
2km Buffer for Site of Special Scientific Interest
Within the Built Up Area Boundary

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)
DSP1	D SP1 Design

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

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 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.

DESIGN AND VISUAL AMENITY

Due to the siting and scale of the development, there will only be limited views of parts of the proposal from the street. Together with the limited scale, design and materials of the proposed conservatory it is considered to be in accordance with policies D DM1, D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is due to the siting of the proposal allowing for a significant separation distance to the occupiers of neighbouring dwellings. Additionally, the aforementioned siting and the aspect of the application site further mitigate this impact.

The development is not considered to result in a harmful loss of privacy to the occupiers of neighbouring dwellings due to its single storey nature, therefore, the views from the conservatory are no different to those from the garden at current.

The development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The 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.

CIL DETAILS

This application is not CIL Liable.

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
 - Block Plan
 - Proposed Plans

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.