

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

REF NO: AB/115/20/HH

LOCATION: 1 Town Hall Yard
Maltravers Street
Arundel
BN18 9AP

PROPOSAL: First floor extension & creation of new balcony & associated external alterations.
This application may affect the character & appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Application for an extension at first floor to the north measuring 4m in width. A new balcony to the south measuring 3.45m in width.

RELEVANT SITE HISTORY

AB/31/97	Conversion of Coach House to one-bedroomed cottage	ApproveConditionally 14-05-97
AB/32/97/CA	Application for Conservation Area Consent for demolition of chimney and part of wall together with rebuilding of roof.	ApproveConditionally 16-05-97

REPRESENTATIONS

Arundel Town Council:
Objection on the grounds of detriment to the Conservation Area.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

Issue of impact on conservation area assessed in conclusions section of the report.

POLICY CONTEXT

Designation applicable to site:
2km Buffer for Site of Special Scientific Interest
Within the Built Up Area Boundary

Within the Conservation Area
Archaeological Notification 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)
HERDM3	HER DM3 Conservation Areas

Arundel Neighbourhood Plan 2014 POLICY1:

The Presumption in Favour of Sustainable Development

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, D DM4 and HER DM3 of the Arun Local Plan. Additionally, Policy 1 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.

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 AR1 of the Arundel Neighbourhood Plan defines the Built Up Area Boundary of Arundel, as shown on the Policies Map, for the purpose of applying policies SD SP2 and C SP1 of the Arun Local Plan.

DESIGN AND VISUAL AMENITY

The first floor extension to the host dwelling has limited views to the public realm, due to its siting. However, it is not considered to be an unacceptable addition to the host dwelling, nor have a significantly harmful impact upon the character of the locality/conservation area due to the design of the addition appearing well integrated with the character of the dwelling, and the use of materials to match.

The modest scale of the proposed balcony, and its siting the impact on the conservation area is limited through the screening from the trees and limited views from the public realm Furthermore, due to the siting of the balcony on the Southern elevation of the building, the balcony will not have any presence within the street scene of Maltravers Street. It would appear that similar materials for the windows are proposed to those within the area, which is considered to allow the proposed balcony to resonate with the appearance of the host dwelling, and area, as a whole.

As such, the proposed development is considered to be in accordance with D DM1, D DM4 and HER

DM3 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to result in any significantly harmful overshadowing or overbearing impact upon the occupiers of the neighbouring dwellings due to the siting of the extensions and the separation distance from the dwelling to the South allowing there to be no harmful overshadowing impact on principles rooms to the dwelling to the South of the site. The development is not considered to result in the creation of any openings of which allow for views of which are different to those available from the host dwelling.

Whilst it is noted that the proposed balcony on the south elevation may result in overlooking of adjacent dwellings, it is proposed to add a vertical cedar privacy screen to avoid harmful overlooking when using the balcony. It is noted that there are examples of balconies within the area.

Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) 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.

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 and Block Plan 203106/03
 - Proposed Plans 20306/02
 - Existing Plans 203106/01

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.