

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

REF NO: AB/116/20/HH

LOCATION: 42 Fitzalan Road
Arundel
BN18 9JS

PROPOSAL: Single storey rear extension to replace conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This applications seeks to replace the existing conservatory with a single storey rear extension. The single storey rear extension has a maximum height of 3.38m and length of 5.15m, to the rear there are bi-folding doors which look out to the rear of the property. The bi-folding doors have a length of 2.91m when fully opening with a height of 2.10m. The walls of the single storey extension are brick walls with the bi-folding doors integrated into the extension, the roof will be flat felted roof lantern. The doors at the rear elevation are bi-folding double glazed doors. The overall development will be similar to the existing conservatory in terms of the footprint of the development and height.
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RELEVANT SITE HISTORY

AB/106/18/HH	Dormer extension to front first floor.	ApproveConditionally 19-11-18
AB/64/17/HH	Single storey rear extension	ApproveConditionally 03-07-17

REPRESENTATIONS

No objection from Town Council.
No representations from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

Tree preservation order.

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 D DM1 and D DM4 of the Arun Local Plan. Additionally, AR1 of the Arundel Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary and will be permitted subject to consideration against other policies in the Local 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 AR1 of the Arundel Neighbourhood Development Plan states built up area boundaries remains an important feature of the new Local Plan in distinguishing how planning applications are considered if they relate to land inside or outside a boundary.

DESIGN AND VISUAL AMENITY

The proposal will be situated to the rear of the property and will not be visible to from the street scene or the wider area and therefore not have an impact on the character and appearance of the area.

The proposed development has a maximum height 3.38m and length of 5.15m. The single storey rear

extension uses some materials which are similar to the host dwelling, due to these factors the extension is considered to appear subservient to, and well integrated with the host dwelling.

The main footprint and height of the single storey rear extension is similar to the existing conservatory at the rear of the property due to this similar footprint in proposal, it's not considered to result in an adverse appearance on the street scene given it's rear location, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension is situated in a similar position to the existing conservatory and is proposed to be integrated into the host dwelling. The rear extension will be 15.39m to the northern boundary of the property. The extension will be adjoined to the host dwelling at the east boundary, as this is very similar to the existing conservatory it will have minimal impacts by way of overshadowing/overbearing effects on the neighbour.

With regard to potential for loss of privacy there are no openings proposed that provide any overlooking into neighbouring properties. The bi-folding doors open to the northern boundary where there is a 15.39m boundary, therefore providing no overshadowing/overbearing effects.

As such, 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 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.

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:
 - Block Plan
 - Plans 16/1219/01
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 The materials and finishes of the external walls hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM4 of the Arun Local Plan.
- 4 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.