

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

REF NO: AB/121/18/HH

LOCATION: 35 Maltravers Street
Arundel
BN18 9BU

PROPOSAL: New velux roof window in rear elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to insert a Velux window into the rear elevation of the host dwelling.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Arundel Town Council
Parish Council - No objection.

No representations received from occupiers of nearby properties.

CONSULTATIONS

Directorate of Airspace Policy
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer -
This application relates to the insertion of a second roof light on the rear elevation of the property.

Whilst the proposal would result in a clustering of opening on the rear elevation, it size will mean that it will have a neutral impact on the building. As a result, the proposal is capable of support.

It is recommended that the roof light is of conservation design so as to further minimise its impact.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Conservation Area

DEVELOPMENT PLAN POLICES

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
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Arundel Neighbourhood Plan 2014 POLICY1:](#) The Presumption in Favour of Sustainable Development

Arundel Neighbourhood Plan 2014 POLICY 2: A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 & 2 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 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.

DESIGN AND VISUAL AMENITY

The proposed opening is sited at the rear of the host building, and therefore, there are very few available views of the proposed development.

The proposed development is considered to be in accordance with polices D DM1, D DM4 and HER DM3 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any change in the neighbouring residential amenities of adjacent occupiers. The new window is not considered to provide any views that are unavailable from the site at current.

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

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:

- Location, Site, Floor Plans and Elevations - DPA-01 - Nov 2018 - Rev. 02

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.