

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

REF NO: AB/124/21/HH

LOCATION: 25 Torton Hill Road
Arundel
BN18 9HF

PROPOSAL: Erection of two storey rear extension including the installation of 1 x rear juliette balcony and alterations to fenestration following the demolition of existing rear conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The two storey rear extension would be 3.5m deep, 7.3m wide, and would have a double hipped roof form, with an eaves height of 4.9m and a ridge height of 7.1m (noting ground level slopes). The extension is proposed to be constructed of facing brickwork elevations, plain concrete roof tiles and white UPVC framed windows to match the existing house. The replacement rear conservatory is proposed to be aluminium framed with single pitch roof form. A glazed Juliette balcony is proposed at the rear, and new windows are proposed to the side elevations of the property.
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RELEVANT SITE HISTORY

AB/9/09/	Erection of a PVCu conservatory to the rear of the property	ApproveConditionally 23-03-09
AB/137/98/	Demolition of existing garage and construction of two storey extension	ApproveConditionally 11-01-99
AB/15/53	Erection Of Dwelling House	ApproveConditionally 09-04-53

REPRESENTATIONS

Arundel Town Council -
No objection.

No other representations received.

CONSULTATION RESPONSES RECEIVED:

N/A.

POLICY CONTEXT

Designation applicable to site:
 Built-Up Area Boundary (Arundel)
 Prone to groundwater flooding
 2km Buffer Arundel Park
 CIL Zone 2

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
QESP1	QE SP1 Quality of the Environment
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM4	ENV DM4 Protection of trees
ENVSP1	ENV SP1 Natural Environment

[Arundel Neighbourhood Plan 2018-2031 AR1](#)

Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**SITE & SURROUNDS:**

The site consists of a detached, 2 storey, brick-built 1950s residential property, with a front driveway/garden, integrated garage, and rear garden. The property is located on the south side of Torton Hill Road, a residential street comprising mainly detached residences, within the town of Arundel.

VISUAL IMPACT:

Policy D SP1 of the Arun Local Plan (ALP) states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of design quality, including; character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees and crime prevention. Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. This includes that (a) the extension or alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials (b) the extension or alteration is visually subservient to

the main building and (d) in streets characterised by relatively small gaps at first floor level between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary.

Arun District Council Design Guide SPD (2021) provides detailed design guidance for developments in the District.

The Arundel Neighbourhood Plan 2 (2019) does not contain any relevant policies in respect of extension design.

Although the proposed rear extension is two storey and relatively large in scale, the property itself is a large detached house on a spacious garden plot, so the extension would appear visually subservient in scale to the main building. The extension at first floor level would come within 1 metre of the side boundary, however, it would not project beyond the existing main side elevation of the house, and a gap would still be retained to the neighbouring property, no. 23, which would ensure space between buildings. The proposed hipped roof forms would reflect the roof form of the existing property, and the proposed matching materials, would ensure the extension would sympathetically relate to and visually integrate with the existing building. Although the aluminium framing to the new conservatory and the proposed glazed Juliette balcony would not reflect existing materials or features on the main house, this difference in and of itself is not considered visually harmful and these alterations would be located at the rear and thus less readily visible with no impact on the street scene.

In conclusion, the proposals would have an acceptable impact on appearance of the property and the visual amenity of the area, in accordance with the NPPF, policies D SP1, D DM1 and D DM4 of the Arun Local Plan and the ADC Design SPD.

RESIDENTIAL AMENITY IMPACT:

Policy D DM1 of the ALP states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy D DM4 requires that (c) the extension or alteration does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Policy QE SP1 states the Council requires development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity.

The ADC Design SPD includes detailed guidance on the protection of residential amenity, including setting out the required separation distances between habitable rooms to ensure privacy (Section H.04) and measures to maintain privacy (Section J.02).

The Arundel Neighbourhood Plan 2 (2019) does not contain any relevant policies in respect of residential amenity.

The two storey rear extension would be located adjacent to the side boundary with no.23 Torton Hill Road. The extension would not project beyond and would be well set back from the rear elevation of no.23. This neighbouring property has no side facing windows or rooflights on this elevation. As such, there would be no significant overbearing, overshadowing and loss of outlook and light to these neighbouring occupants at no.23. The extension would have no first floor side facing windows towards no.23 and only 2 new ground floor side facing windows towards no. 23. Since no.23 has no side facing windows and given the new ground floor windows would be high level and partially screened behind the boundary treatment, there would be no overlooking impacts to no.23 in this respect. The proposed rear Juliette balcony to the first floor level of the extension would be set back from the rear elevation and garden of no.23 and there is an existing opening (window) in a similar position already, so this addition

would not give rise to a significant or harmful increase in overlooking to no.23.

The application also proposes a new first floor side facing window on the other side of the house, facing towards no.27 Torton Hill Road. This new window would serve the staircase landing (i.e. non habitable room/space). The neighbouring property no.27 contains side facing windows. To avoid any potential additional overlooking and inter-visibility between the 2 properties, a planning condition can be used to ensure this new side facing window would be obscure glazed and fixed shut up to a height of 1.7m.

In conclusion, subject to condition, the proposals would have an acceptable impact on neighbouring residential amenity, in accordance with the NPPF, policies D DM1, D DM4 and QE SP1 of the Arun Local Plan and the ADC Design SPD.

DRAINAGE:

Arun Local Plan policy W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems. The ADC Design Guide SPD (Section K.04) requires that development incorporate Sustainable Drainage Systems (SUDs) and flood risk mitigation.

The extension footprint would cover an area which is mainly already covered by ground floor rear extensions and paving stones with gaps (semi-permeable). As such, there would be minimal or negligible increase in the amount of impermeable surfaces as a result of the development. No SUDs have been proposed. A planning condition is therefore recommended to require the installation of SUDs measure/s prior to occupation of the new development to ensure that SUDs are incorporated and surface water drainage is improved, in accordance with policy W DM3 of the Arun Local Plan.

TREES:

ALP policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or that contribute to local amenity.

The proposed extension would be located adjacent to the side boundary and some vegetation on site may need to be cleared to facilitate the build. However, the proposed development would be located some distance from any established trees and hedgerows of any public visual amenity and significance. As such, the proposals would protect trees and hedgerows as appropriate, in accordance with policy ENV DM4 of the Local Plan.

SUMMARY:

The proposed development is deemed to accord with the 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.

CIL DETAILS

This application is not CIL Liable since it is for a householder extension under 100sqm.

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:

- Proposed Plans (20383 / P102 Rev P1)
- Proposed Elevations (20383 / P103)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4 and QE SP1 of the Arun Local Plan.
- 3 With the exception of the new conservatory, the materials and finishes of the external walls and roofs of the new two storey rear extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.
- 4 The new first floor side facing window in the south west elevation of the property shall be obscure glazed and fixed shut to a minimum height of 1.7m from finished floor level.

Reason: To protect the residential amenity of neighbouring residents, in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.
- 5 Prior to occupation of the extension hereby approved, Sustainable Urban Drainage (SUDs) measures (e.g. soakaway, fully permeable paving, rainwater harvesting) should be installed within the application site. All measures must accord with Building Regulations. The SUDs measure/s should be permanently retained in working order thereafter.

Reason: To ensure Sustainable Urban Drainage measures are incorporated into the scheme and surface water drainage is improved, in accordance with policy W DM3 of the Arun Local Plan.

- 6 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.