

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

REF NO: AB/132/19/HH

LOCATION: Kemps Barn
Queens Lane
Arundel
BN18 9JN

PROPOSAL: Erection of small detached outbuilding within the private rear garden of the property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
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RELEVANT SITE HISTORY

AB/138/16/NMA	Application for a non-material amendment following a grant of planning permission AB/17/16/HH relating to revised fenestration	Approve 11-11-16
AB/17/16/HH	Two storey extension & garage	ApproveConditionally 07-04-16
AB/3/15/HH	Front, rear & side extension with rear terrace at first floor level. Oak frame porch to front elevation. Resubmission of AB/138/14/HH	ApproveConditionally 09-04-15
AB/138/14/HH	Front, rear and side extension with rear terrace at first floor level. Oak frame porch to front elevation	Refused 19-12-14
AB/121/05/	Single storey extension & re-siting of detached garage.	Withdrawn 28-11-05

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

No objection

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

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
SDSP2	SD SP2 Built-up Area Boundary

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, Policy 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

The development outlined in this application is for an outbuilding in the rear garden of Kemps Barn. The proposed outbuilding will be 2.959m at pitch height with an eaves height of 2.248m. The outbuilding is considered to be modest in scale with a depth of approximately 3.7m and a width of 5.537m.

The proposed outbuilding is sited to the rear of the host dwelling, and is therefore not visible from the street scene of The Causeway or Queens Lane. Therefore, the proposed outbuilding is not considered to have any significant impact upon the established spatial pattern, or character of the area, and is

therefore in accordance with D DM1(1) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significant impact upon the residential amenities of neighbouring dwellings. This is due to the outbuilding being sited an acceptable distance from the neighbouring dwellings to remove any potential for significant overbearing or overshadowing impact. Additionally, as a result of the single storey nature of the outbuilding, it is not considered that the windows proposed will result in any views that are currently unavailable from the garden. Therefore, the proposal is considered to be in accordance with D DM1(3) of the Arun 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.

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 and Location Plan KB/P/01

- Proposed Floor Plan KB/P/02
- Proposed Elevations KB/P/03

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.