

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

REF NO: AB/135/18/HH

LOCATION: 2 Kings Arms Hill
Arundel
BN18 9BT

PROPOSAL: Application for replacement timber and glass conservatory structure within outbuildings in yard / garden. The application affects the character and appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to replace the existing conservatory with a similar structure.

RELEVANT SITE HISTORY

AB/136/18/L Listed building consent for replacement timber and glass conservatory structure within outbuildings in yard / garden.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Parish Council - No objection, subject that a condition is applied that the development remains ancillary to the host dwelling.

No comments received from occupiers of nearby dwellings.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted, the referenced condition will be applied.

CONSULTATIONS

Directorate of Airspace Policy

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No objection.

The application relates to an existing sun room which it is proposed to replace on a very similar basis. The sun room is located within the rear garden area of the property, and is attached to a single storey building. This building is located within the curtilage of a listed building, and is therefore curtilage listed. It is also located within the Arundel Conservation area.

The single storey building is simple in character and constructed using traditional materials. It plays a subservient role to the main dwelling, and the proposal should ensure that this relationship continues. Essentially, as the proposal will replace an almost identical structure, there can be no concerns. However, the success of such a scheme will then depend upon the quality of the materials used and the design of the wooden structure/windows.

Overall, the design is acceptable, although it would be preferred if the French doors replicated the existing design, such as the inclusion of glazing bars. Further, it is not clear if the units will be single or double glazed? If minded to approve, you may wish to condition details of the joinery.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Grade II Listed Building

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

[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

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.

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.

DESIGN AND VISUAL AMENITY

The proposed development is not visible from the street scene as a result of its siting, therefore, it is not considered to have any unacceptably adverse impact on the character of the locality, or the established character of the area. The maximum height of the proposed development is approximately 2.8m from ground level, which is approximately 0.4m lower than the existing ridge height of the host building. Therefore, the proposed development is considered to appear subservient to the host building, nor is it deemed to harm its established character.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly harmful impact on the residential amenities of neighbouring dwellings by way of overshadowing, or having an overbearing impact. This is resultant of its modest scale and light construction. Additionally, the proposed conservatory replaces an extension of very similar dimensions, and therefore, it is not considered that it would result in any significant change to loss of light, or result in an unneighbourly impact on occupiers of adjacent dwellings.

The application 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 & Block Plan - ME/1118/PA/LEC/01 - November 2018
- Proposed Plans & Elevations - MB/1118/PA-LEC-04 - November 2018

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 accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 2 King Arms Hill, Arundel as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.