

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

REF NO: AB/135/19/HH

LOCATION: 31 Maltravers Street
Arundel
BN18 9BU

PROPOSAL: Proposed internal and external alterations including replacement of selected windows and doors and new ground floor terrace to provide more flexible family living accommodation and a lower ground floor annex. This application may affect the setting of a Listed Building and may affect the character and appearance of the Arundel Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to perform both internal and external alterations to the host dwelling, including replacement of joinery. It also seeks to create a new ground floor terrace, and an annex to the lower ground floor. An extension to the existing outbuilding will also be proposed.

The annex proposed seeks to create a self-contained unit at lower ground floor level, by way of the creation of a separate entrance. This has not been proposed as being a separate unit of accommodation.

RELEVANT SITE HISTORY

AB/136/19/L Proposed internal and external alterations including replacement of selected windows and doors and new ground floor terrace to provide more flexible family living accommodation and a lower ground floor annex.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council
Parish Council - No objections.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No objection.

Full comments available to view on the web site.

Conservation Area Advisory Committee - No objection.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Grade II Listed Building

Within Arundel Conservation Area

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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
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

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.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, proposals should protect the setting of these buildings.

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 extension is sited to the rear of the host dwelling, and as such, it is considered to have a reduced impact upon the character of the locality, in that there are few views of the proposal from the public realm. The proposed terrace is considered to be an appropriate extension to the host dwelling, extending at street level from the rear elevation. As such, it is considered to be a sympathetic and subservient addition to the host dwelling.

The proposed addition to the existing outbuilding is considered to be an acceptable addition. This is due to its scale, and distance from the host dwelling allowing it to have no significant impact upon the host dwelling, and its siting allowing to have no impact upon the locality.

The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 states that the decision as to whether or not to grant planning permission, for development which affects a listed building or its setting must have regard to the desirability of preserving the building or its setting. Section 72 of the same act applies special regard to the desirability of the preservation of the character and appearance of Conservation Areas. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets.

In this instance, it is considered that the proposed development does not cause harm to the conservation area in which it is sited or to the Listed Building, and as such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to give rise to any significantly harmful impact to neighbouring dwellings, by way of overshadowing, or overbearing impact. This is due to the scale of the proposal, and the boundary treatment preventing any significant unneighbourly impact upon the dwelling to the North. The proposed terrace is not considered to give rise to any views that are unavailable from the host dwelling at current. However, there were concerns that the stair case would give rise to a loss of privacy to the occupiers to the North, as such, the scheme includes the provision for a trellis to be installed atop of the Northern boundary wall. A condition will be recommended, ensuring that this be retained in perpetuity.

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:

- Site Location and Site Block Plan - 4120 - GA001 PL - 09.2019
- Proposed Site Block Plan - 4120 - GA015 PL-1 - 12.2019
- Rear Elevation as Proposed - 4120 - GA 502 - PL 2 - 09.2019
- Outbuilding Elevations as Proposed - 4120 - GA 514 - PL - 12.2019
- Flank Elevation to Rear As Proposed - 4120 - GA 513 - PL - 11.2019
- Front Elevation As Proposed - 4120 - GA 501 - PL 1 - 09.2019
- 1F Plan Proposed - 4120 - GA 305 - PL 2 - 09.2019
- Roof Plan Proposed - 4120 - GA 3017 - PL 1 - 09.2019
- GF Plan Proposed - 4120 - GA 304 - PL 3 - 09.2019
- Attic Plan Proposed - 4120 - GA 306 - PL 3 - 09.2019
- Basement Plan Proposed - 4120 - GA 303 - PL 1 - 09.2019

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 trellis on the Northern boundary wall of the application site (denoted in plan ref: Rear Elevation as Proposed - 4120 - GA 502 - PL 2 - 09.2019) shall be installed prior to use of the proposed terrace area, and remain in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 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.