

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

REF NO: AB/14/21/HH

LOCATION: Riverside House
2 Fitzalan Road
Arundel
BN18 9JS

PROPOSAL: Reinstatement of timber jetty using existing 3 piles.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The materials used to construct this jetty will be similar to those used in the existing, there will be three timber piles in the river and a wooden walkway to the bank. However, currently there is no wooden walkway to the bank. At the north elevation the staircase and fence is visible to the street scene with a height of 6.25m and length of 5.47. At the east elevation the length of the proposal from the staircase is 8.67m and the height to the riverbed is 5.46m. At the western elevation the length from the boundary wall will be 7.38m and the height to the riverbed is 6.15m. The proposed jetty has a height of 9.23m and length of 5.34m.
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RELEVANT SITE HISTORY

AB/3/21/PD	Notification for Prior Approval under Schedule 2 Part 1 Class AA for erection of one and two additional storeys on existing dwellinghouse.	No Object'n + Conds 08-03-21
AB/114/20/PD	Notification for Prior Approval under Schedule 2 Part 1 Class AA for a additional 2 storeys on existing dwelling house.	Objection 18-12-20
AB/154/16/HH	Erection of extensions to existing dwelling to form car port, conservatory & rooms in loft space	Refused 02-03-17 Appeal: Allowed+Conditions 21-09-17
AB/155/14/PL	Reinstatement of timber jetty using existing 3 piles.	ApproveConditionally 29-01-15

REPRESENTATIONS

Arundel Town Council. Objection - the steps that are being built over the wall would be intrusive to the neighbour and result in a loss of privacy.

Six letters of objection from nearby occupiers stating:

- Mitigating the additional risk to the craft, including the direction on safe mooring arrangements for vessels.
- The plans are not accurate, The Environment Agency will need free access along the gabions, the size of the jetty will be a hazard and it will not be in-keeping with the locality.
- The proposal has a negative visual impact and has a poor impact on the residential amenity and privacy of neighbours.
- There has been no permission sought from the owner of the riverbed owned by The Angmering Park Estate.
- The size and scale of the proposal will be an eyesore and have an adverse impact on the character of the area. The decking on the towpath will be a trip hazard to pedestrians.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

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

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

Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

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

CONCLUSIONS

PRINCIPLE

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans.

In this case, the key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies HD1, HD4, HD5 and HD6 of the Angmering 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 proposal will be to the rear of 2 Fitzalan Road to the River Arun, there will be no harmful views to the street scene and the wider area, so will have minimal impacts on the character and appearance of the area. This is due to the proposal being located at the rear and replacing the existing jetty. The scale and position of the jetty will result in there being minimal affect on Heathfield Avenue, therefore the proposal will appear subservient and well integrated to the host dwelling as existing jetty. Although the proposed jetty projects 0.8m further than the existing jetty, this will cause minimal harmful impacts to the area.

This development matches the existing jetty, the materials are all of good design. Due to these factors, the proposal is considered to appear subservient to, and well integrated with the host dwelling.

The proposal does not result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide.

RESIDENTIAL AMENITY

The proposal will have a minimal impact on neighbouring properties due to the reinstatement of the existing jetty. Although the proposed jetty will be larger in scale there will be minimal effects to the neighbouring property which would result in a refusal.

The increase in mass and scale of the development will not result in any significant harmful overlooking or overshadowing impacts to neighbouring property near 2 Fitzalan Road. There are no openings to be constructed on this development that would cause any impact.

The development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

THE MARINE ENVIRONMENT

This application seeks to reinstate timber jetty using the existing three piles. I have considered this proposal against the Marine Plan as a whole but it is clear that the policies outlined within this plan do not conflict with this proposal.

SUMMARY

The 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

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:
 - Proposed north elevation PL107
 - Proposed east elevation PL105
 - Layout plans PL103
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.