

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

REF NO: AB/21/21/HH

LOCATION: 164 Fitzalan Road
Arundel
BN18 9JZ

PROPOSAL: Erection of a single storey outbuilding to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks retrospective planning permission to erect a single storey outbuilding to the rear.

The proposal sits 0.4m to the northern elevation and 0.1m to the south. The materials which have been used to construct this outbuilding consist of the walls being marleyboard grey cladding with an aluminium trim. The roof has been constructed from apex roof felt with a shingle cover. The doors at French doors and velux windows in the roof.

At the rear (west) elevation the outbuilding has a height of 3.15m and length of 4.66m, French doors are at the rear. At the front (east) elevation the height is 3.16m with a length of 4.8m, there are French doors at this elevation. The side (south) elevation has a height of 3.17m and length of 8.33m. The side (north) elevation has a height of 3.15m and length of 8.45m, the roof lights are at this elevation.

REPRESENTATIONS

Objection from Town Council due to the grounds of installing a WC facility and the height and mass of the outbuilding.

No representations from nearby occupiers.

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
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

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

CONCLUSIONS**PRINCIPLE**

The key policies are 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.

DESIGN AND VISUAL AMENITY

The proposal is situated at the rear of 164 Fitzalan Road and will not be visible to the street scene and the wider area due to its siting, and therefore will not have an impact on the character and appearance of the area. However, the outbuilding will be visible to the path and river scene at the rear of 164 Fitzalan Road. However, the single storey nature of the building and distances involved are sufficient for there to be no unacceptable impact on character and appearance of the area at this point.

As a result this proposal is not considered to result in an adverse appearance on the street scene in accordance with policies D SP1 & D DM1 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 single storey nature and the location of the building neighbouring long rear gardens means that there will be no overshadowing or overbearing effects on neighbouring occupiers. There are no windows or openings at the north and south elevations which could provide any overlooking or overbearing effects to 162 and 166 Fitzalan Road. The roof lights at the north elevation will not result in overlooking to 162 Fitzalan Road as these are located in the roof and not the walls of the outbuilding.

The French doors at the front (east) elevation look to the rear of the host dwelling. There are also French doors at rear (west) elevation which look out to the river bank. These doors do not overlook any properties and there are no overbearing impacts.

As such, 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 accords with 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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Block plan
 - Proposed north elevation 5
 - South elevation 6
 - Proposed east elevation 3
 - Proposed west elevation 4

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.

- 2 The building shall not be occupied as a separate unit of residential accommodation.

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun Local Plan policy D DM1.

- 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.