

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

REF NO: AB/26/22/HH

LOCATION: 45 Tarrant Street
Arundel
BN18 9DJ

PROPOSAL: Erection of garden room in rear and internal alterations. (This application may affect the character and appearance of the Arundel Conservation Area and a Listed Building).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a garden outbuilding and install an en-suite in existing eaves space to the third floor.
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RELEVANT SITE HISTORY

AB/83/17/L	Application for listed building consent for the creation of ensuite shower room.	ApproveConditionally 17-08-17
AB/161/16/L	Application for Listed Building Consent for the creation of ensuite shower room & alteration of existing bathroom	ApproveConditionally 15-03-17
AB/82/83/L	Application For Listed Bld Con Demolition Of Outhouses At Rear Of Property As Shown On Plan To Provide Larger Garden	ApproveConditionally 15-09-83

REPRESENTATIONS

Parish Council - No objection.

C.A.A.C - No objection.

The proposals include the erection of a modest garden room of contemporary design and materials in the rear garden, together with minor internal alterations. The only external change to the main building will be a natural slate vent in the roof which is most unlikely to be viewed from public areas and with limited views from private ones.

In the opinion of the Panel there will be no adverse impact on the character or appearance of the Conservation Area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
 Within built up area boundary
 Within Arundel Conservation Area
 Grade II Listed Building
 2km Buffer Zone SSSI

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
HERDM3	HER DM3 Conservation Areas

[Arundel Neighbourhood Plan 2018-2031 AR1](#) Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1, D DM4, and HER DM3 of the Arun Local Plan. Additionally, Policy AR1 of the Arundel Neighbourhood Development Plan. which relates to development being focussed within the built up area boundary.

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 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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design

standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. Part J.01 relates to buildings form and character and states that new development must ensure that the existing character and sense of place of an area is respected and enhanced.

Arundel has a made Neighbourhood Plan with policy AR1 of relevance to the application. The proposal complies with this policy being located within the built up area boundary.

DESIGN AND VISUAL AMENITY

The outbuilding measures 1.3m by 2.5m and is to be located on an existing hardstanding where an older building once stood. It set back adjoining the rear and side boundaries of the host dwelling. The proposed garden outbuilding is not considered to give rise to any significant impact upon the character of the host dwelling, or its wider locality. This is largely as a result of the siting, modest scale and design of the proposed development.

The operations within the house will only lead to a small alteration to the roof of the house, the addition of an air vent, which is acceptable and will not harm the character of the area and will be subservient to the dwelling.

The proposed development is in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and Part J of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact on the occupiers of neighbouring dwellings. It is proposed to build the outbuilding adjacent to an existing flint/brick garden boundary wall, due to the heights of the existing wall it will only sit 250mm above their overall height. This is as a result of the modest design and scale of the proposal, and the aspect of the application site.

Regarding overlooking to adjacent dwellings, proposed patio doors are sought to the northern elevation only with views towards the host dwelling. The proposed development is not considered to give rise to any views that are unavailable from the application site at current.

The proposed development is in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan and Part J of the Arun Design Guide.

HERITAGE IMPACT ASSESSMENT

Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 Act applies special regard to the desirability of the preservation of the character and appearance of Conservation Areas.

Chapter 16 of the NPPF paragraphs 194, 195, 197 and 199 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset, the positive contribution the asset or proposal can bring about and the weight given to the preservation of the asset.

A heritage statement and schedule of materials has been provided. The proposed internal alterations have limited effect on the heritage fabric of the building, one post to be replaced is rotten and will be replaced with reclaimed oak. The roof vent will not be visible from ground level. In this instance, the proposed development does not cause harm to the Conservation Area in which it is sited, and as such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

The proposal complies with Policy HER DM3 of the Arun Local Plan in that it preserves the building under its current usage and causes no harm to the Conservation Area.

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 and documents;

- Proposed Garden Room 0364/102 A
- Location Plan 0364/100
- Proposed Floor Plan 0364/103
- Proposed Section 0364/104
- Schedule of Material, Schedule of Work and Method Statement March 2022.

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:** This consent does not purport or be deemed to grant consent for any buildings or structure within the curtilage of the Listed Building for which a separate application for planning permission is required under the provisions of the Town and Country Planning Act

1990 (as amended).

- 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.