

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

REF NO: AB/43/22/HH

LOCATION: Beech Place
35A Torton Hill Road
Arundel
BN18 9HF

PROPOSAL: Erection of an outbuilding including the demolition of the existing detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey garden outbuilding, to be use as additional work/living space ancillary to the main dwelling.
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RELEVANT SITE HISTORY

AB/23/22/HH	Single storey side/rear extension including demolition of existing garage and first floor side extension with alterations to fenestration.	ApproveConditionally 04-05-22
AB/71/20/HH	Proposed changes to external appearance of house, including timber boarding, rendered brick and change to window layouts and materials.	ApproveConditionally 01-09-20

REPRESENTATIONS

Arundel Town Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.
TPOs

DEVELOPMENT PLAN POLICIESArun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

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**

The key policies are D DM1, D DM4 and ENV DM4 of the Arun Local Plan and the Arun Design Guide.

Arundel has a made Neighbourhood Plan with policy AR1 of relevance which relates to applications being located within the Built-up area boundary. This application site is within the BUAB.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards. 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. Part J.02 relates to building design and their scale and massing and states that development for new buildings or extensions to existing properties should have an appropriate scale determined by their context, function and positioning stating that buildings within coastal towns will tend to have a larger scale.

DESIGN AND VISUAL AMENITY

The dwelling is to a corner plot with extensive planting surrounding the site which largely restricts views. The dwelling is a detached two storey property with two entrances one from the north and the other from the west, the existing garage on site is situated off the western drive and it is located to the south of the main dwelling.

The proposal will demolish the garage and replace it with a timber frame building in a similar position which will be approx. 5m longer and approx. 1 m wider. The building will sit just over 1m further to the east on site away from the road. By reason of its pitched roof design, it will be 2.3m taller and will be built from materials which match the refurbished dwelling. With matching materials this helps ensure the development is integrated with the dwelling and its surroundings.

The Arun Design Guide seeks to protect a sense of place through an appropriate choice of building form and character and provide buildings which respond to their settings. Policy D DM1 and D DM4 seek to provide alterations and extensions which are visually subservient and well-integrated with the host dwellings. By reason that the building will be built to match the host dwelling in material choice and as it will sit behind a primary elevation and be of a lower scale and mass than the existing dwelling, it will

accord with guidance and policy. It is felt that it will also enhance the sense of place as it will provide a high-quality building which has a rural feel, appropriate for this leafy setting.

It will be visible from the street scene and as such influence its character. For the reasons given above and for the fact that it replaces an existing structure no negative impact to the character of the area is foreseen in accordance with D DM1(1).

The proposal is acceptable in design and appearance terms, and the development will not result in adverse harm upon the character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

As noted above, the structure will be slightly larger than the garage. It will be adjacent to the southern boundary of the site, adjacent to 37 Torton Hill Road's garage and driveway. It will be constructed approx. 400mm nearer to the southern boundary than the current garage. Even with some tree removal for the project there is good tree/shrub coverage to all boundaries, including a protected tree. Given the plots to this area are spacious, and due to the orientation of the proposed building and boundary treatments in relation to the neighbour's property, no negative impact from overshadowing or being overbearing will occur. It will be located 7.4m from the eastern boundary which backs onto the rear garden space of No.35. There will be no impact to the dwelling at No.35 because of the considerable separation gaps between the application building and the dwelling.

There will be windows facing north, towards the host dwelling and west towards the road, as such no negative impact from overlooking will occur.

In order to protect the neighbouring occupiers from intensification of the use of the site a condition will be added relating to the use of the outbuilding as ancillary to the main dwelling.

Due to the siting, the proposal will not result in adverse overbearing, overshadowing or overlooking upon neighbouring amenity in accordance with D DM1 and D DM4 of the Arun Local Plan.

TREES

There is a TPO present on site, TPO/AB/1/19 which includes a group of 3 individual trees. One of these trees is present on site, an Oak, the others are found in the neighbours (No. 37) front garden to the south. A comprehensive arboricultural assessment has been included. The protected Oak will be retained however in order to accord with policy ENV DM4 proper protection and management of the tree and the site during construction needs to be considered. The arboricultural assessment, undertaken to British Standards, has made allowances for a construction exclusion zone including protective barriers, ground protection measures, a demolition strategy, inclusions of a slab/pile foundation method and a non-dig solution for the proposed replacement driveway, amongst other measures. These details are acceptable and accord with policy.

9 trees are to be removed; these are not protected. A mixed native hedge has been proposed to infill the gap left by the removal of the existing vegetation. This will be conditioned to be implemented so that the leafy character of the area is maintained.

The provision of an arboricultural assessment with mitigation measures to protect the Oak retained trees on site is acceptable and accords with Policy ENV DM4 of the Arun Local Plan.

SUMMARY

The 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 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 plan and Plans 22005-103
 - Proposed Elevations 22005-104
 - Arboricultural Report April 2022
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan and Part M of the Arun Design Guide.
- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.
- 4 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 35A Beech Place 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.

- 5 The provision of a conservation mixed species hedge shall be planted in accordance with the details shown on plan 22005-103 and in the accompanying Arboricultural Report - April 2022. All planting comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

- 6 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837:2012 and has been erected and positioned exactly as shown on the Tree Protection Plan found within The Arboricultural Report Appendix 6 - April 2022.

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To comply with BS5837:2012 and ensure the retention and maintenance of trees and vegetation which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 7 All activity at the site is to be carried out in strict accordance with:

- The Arboricultural Report - April 2022

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 8 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.