

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

REF NO: AB/56/20/HH

LOCATION: 11 Ford Road
Arundel
BN18 9DX

PROPOSAL: Garden studio.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey studio within the rear garden of the host dwelling.

REPRESENTATIONS

Parish Council - No objection.
- No objection subject to use of garden studio not as a dwelling.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within 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

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

PLANNING POLICY GUIDANCE:

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

CONCLUSIONS**PRINCIPLE**

In this case, the key policy is deemed to be D DM1 of the Arun Local Plan. Additionally, 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 proposed outbuilding is sited at the end of the rear garden of the host dwelling. As a result of this siting, the proposed outbuilding is not considered to have any impact upon the character of the locality as there will be no available views of it within the public realm. The proposed outbuilding is sited approximately 23m from the rear of the host dwelling, and due to its scale it is not considered to appear overly dominant within its siting in the rear garden of the host dwelling.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the occupiers of neighbouring dwellings by way of overshadowing or overbearing impact. This is due to the siting of the proposal and its scale as being over 20m from the neighbouring dwellings. Whilst it is noted that the proposal has a maximum height of 3.6m, this slopes down to 2.6m over a length of 7m. Due to this scale, and its siting away from the neighbouring dwelling itself, whilst there may be some overshadowing to the private amenity area of the neighbouring dwelling, it is not considered to be so harmful as to prescribe refusal of the application.

The proposed development is not considered to result in any loss of privacy to occupiers of neighbouring dwellings as a result of its single storey nature. Any views available from the outbuilding would be no different to those available from the application site at current.

The proposed development is considered to be in accordance with D DM1(3) 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:

- Block Plan - 27333 - 23 Apr 2013
- Proposed Annex - 001 Proposed Plans & Elevations - 15-06-20
- Proposed Annex - 002 Proposed Plans & Elevations - 15-06-20
- Proposed Annex - 004 - Proposed Sections - 15-06-20

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.