

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

REF NO: AB/64/18/HH

LOCATION: 16 Dalloway Road
Arundel
BN18 9HW

PROPOSAL: Single storey rear extension with balcony at first floor level.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to erect a rear single storey extension, with a small balcony atop.
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RELEVANT SITE HISTORY

AB/66/18/CLP	Lawful development certificate for a proposed single storey rear extension.	PP Not Required 09-08-18
AB/144/08/	Amendments to previously approved planning permission AB/51/07/ (construction of extension, addition of first floor above existing garage, improvements and associated works) to incorporate a pitched roof over the two storey extension.	ApproveConditionally 16-01-09
AB/107/08/	Amendments to previously approved planning permission AB/51/07/ (construction of extension, addition of first floor above existing garage, improvements and associated works) to allow for pitched roof on the new extension to the rear of the property.	Inc Docs Ret'nd 26-08-08
AB/51/07/	Construction of extension, addition of first floor above existing garage,improvements and associated works.	ApproveConditionally 22-06-07

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Parish Council - No objection on the basis that a condition is imposed that the side panelling is constructed of obscure glass and will be retained as such.

SDNPA - No comment.

Objection from adjacent occupier - It should be required that a screen be incorporated for the sake of the privacy of #14 Dalloway Road.

OFFICERS RESPONSE

The plans of which have been submitted as part of this application include the provision of a screen to the North-Eastern elevation of the proposed balcony, therefore, if this plan were to be approved then the screen could be enforced this way.

CONSULTATIONS

South Downs National Park

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

[Arundel Neighbourhood Plan 2014 POLICY1:](#) The Presumption in Favour of Sustainable Development

Arundel Neighbourhood Plan 2014 POLICY 2: A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 and 2 of the Arundel Neighbourhood Development Plan.

DESIGN AND VISUAL AMENITY

The majority of this proposal has essentially been approved under AB/66/18/CLP, as it was considered to be permitted development. The difference between this Certificate of Lawfulness Application and this application is the provision for a balcony atop of the proposed extension.

The proposed development is not considered to have a significant impact on the visual appearance, as the erection of the balustrade to encase the balcony is only a minor alteration to the host dwelling in design terms. Additionally, as a result of the boundary treatment and siting, there is not considered to be any views of the development from the street scene. Resultantly, the proposed development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan (2011-2031).

NEIGHBOURING RESIDENTIAL AMENITY

Due to its siting, it is considered that the proposed balcony does not result in a significant change in available views, when compared to existing. The proposal includes the erection of 1.8m high screening on the side elevation of this balcony, which is considered to mitigate any views that could cause a loss of privacy to #14 Dalloway Road. Resultantly, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan (2011-2031).

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:

- Proposed Site/Block Plan - 18119 - 02.04
- Proposed Floors & Roof - 18119 - 02.05
- Proposed Typical Cross Section & Elevations - 18119 - 02.06

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 (2011-2031).

- 3 The materials and finishes of the external walls of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan (2011-2031).

- 4 The proposed screening on the Eastern side of the proposed balcony, shown on the plan reference "Proposed Floors & Roof - 18119 - 02.05", shall be installed prior to the balcony being brought into use, and retained in perpetuity.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan (2011-2031).

- 5 **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.