

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

REF NO: AB/73/19/HH

LOCATION: 50 Torton Hill Road
Arundel
BN18 9HH

PROPOSAL: Proposed porch, first floor rear extension, tiled replacement to conservatory roof with alterations to fenestration and garden room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a front porch, a first floor rear extension, and the replacement of the conservatory with an extension.

RELEVANT SITE HISTORY

AB/19/08/	Proposed conservatory and front roof canopy	ApproveConditionally 07-04-08
AB/49/07/	Proposed first floor side extension, garage conversion, attached single garage and rear single storey extension.	ApproveConditionally 18-05-07

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Arundel Town Council
Parish Council - No objection.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within the Built Up Area Boundary
Tree Preservation Orders

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

Arundel Neighbourhood Plan 2014 POLICY1:

The Presumption in Favour of Sustainable Development

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, the Arundel Neighbourhood Development Plan policy 1.

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.

DESIGN AND VISUAL AMENITY

The proposed front porch is considered to result in a change in appearance to the host dwelling, in that it will be visible within the street scene. However, this change is not considered to be a significantly harmful one, in that it is considered to bring variety to a reasonably basic, uninteresting front elevation. In addition to this, the porch has a ridge height significantly lower than the host dwelling, which is considered to allow the proposed development to appear subservient to the host dwelling.

The proposed first floor addition is considered to be an acceptable addition to the host dwelling, there will be no views of the proposal from the street scene as a result of its siting. Additionally, the proposed extension is considered to be a well integrated addition to the host dwelling, in that it continues the existing roof slope angle to project from this elevation.

The proposed rear extension is not considered to have any significant impact upon the character of the host dwelling, or its wider locality. This is as a result of the fact that the proposed alterations will not be visible within the street scene, and are of a modest scale.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significant impact upon the occupiers of neighbouring dwellings as a result of overshadowing, or overbearing impact. This is as a result of the

siting of the first floor extension allowing a separation distance of approximately 6m to the neighbouring dwelling to the East, and the aspect of the development. The front porch is of a modest scale, and as such is also not considered to result in undue overshadowing. The majority of the proposed development is at ground floor level, and therefore do not provide any views that are currently unavailable from the site at current. The proposed first floor addition features two windows, the window facing South provides no views not currently available from the host dwelling, however, to the West, there is a window which is considered to potentially give rise to a loss of privacy to the occupiers of the neighbouring dwelling. As a result of this, a condition will be imposed which restricts that this window is to be obscure glazed, and non-opening below 1.7m, in order to prevent said unacceptable views. 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 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 Plans & Shed Elevations - 2.01 - 03.06.2019 - Rev. E

- Proposed Ground & First Floor Plans, Roof Plans, Roof Plan & Elevations - 2.00 -
09.04.2019 - Rev. E

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed development (including cladding) have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 The proposed window at first floor level on the Western elevation of the proposed development shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 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.