

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

REF NO: AB/79/19/HH

LOCATION: Cloud
9 Penfolds Place
Arundel
BN18 9SA

PROPOSAL: Conversion of the integral garage to extend living area, removal of the existing balcony and formation of new windows and doors at ground and first floor level with glazed 'Juliet' balcony guarding to upper floor doors.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to convert the existing integral garage to habitable area, forming a kitchen/dining room. Additionally, it seeks to create new openings at ground, and first floor level, this includes the removal of the existing rear balcony, and replacement with Juliet balconies.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council
Town Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS

Natural England
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

No objection from Natural England.

POLICY CONTEXT

Designation applicable to site:
Within 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
SDSP2	SD SP2 Built-up Area Boundary

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, Policy 1 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.

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 conversion of the integral garage is predominantly internal, however, as a result of the garage door being changed to a window, with a wall built beneath. It is noted that there will be an impact on the visual appearance on the host dwelling, and on the street scene. However, it has to be considered whether that impact would result in harm to amenity in the context of the locality and the street scene. It is considered that as a result of the minor scale of the proposed development, and the proposed materials, it is not considered to be in conflict with D DM4(a) and (b) of the Arun Local Plan as a result of the development appearing as a sympathetic or subservient addition to the host dwelling. Additionally, due to the siting of the host dwelling, there will be very few views available of the alteration from the street scene.

The addition of other openings, including the Juliet balconies, and ground floor doors is not considered to have any significantly harmful impact upon the character or appearance of the host dwelling, as these changes will not be visible within the street scene. Therefore, these alterations are 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 residential amenities of neighbouring dwellings. This is due to the fact that the proposed development is in fact, a reduction in the physical, built form of the host dwelling, which reduces the possibility of overbearing, or overshadowing of said neighbours. With regard to loss of privacy, the proposed development is not considered to result in any significant change to available views from the host dwelling, as there is already an existing balcony. Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

PARKING

It is noted that due to the conversion of the garage, there will be a reduction in capacity for parking within the site. However, the property benefits from a large driveway, which is considered to be an acceptable size to meet the parking demands of the site.

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:

- Location and Site Plan - 03/07/2019
- Proposed Floor Plans - 24/07/2019 - Rev. D
- Proposed Elevations - 24/07/2019 - Rev. B

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.