

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

REF NO: AB/93/21/HH

LOCATION: 1 Stewards Rise
Arundel
BN18 9ER

PROPOSAL: Erection of a single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Single storey side extension measuring approximately 4m in length by 8m in length, springing from the eastern elevation of the property.
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REPRESENTATIONS

Parish Council - No Objection

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
BUAB
2km Buffer Zone SSSI
TPOs

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)

[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

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. 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. In this instance, side extension should also be subservient to the host dwelling and respect the space between buildings.

Arundel has a made Neighbourhood Plan with policy AR1 of relevance to the application. The proposal complies with this policy being located within the built up area boundary.

DESIGN AND VISUAL AMENITY

The extension has been designed to be sympathetic to the existing building though the use of materials which match those currently found on the site; and, produces a design which has a consistent form and scale with a continuing eaves and ridge line.

The extension does not dominate the original form, yet sits comfortably alongside it, although it does not attempt to be physically subservient as design guidance suggests, it is unconfontational styling means it will be subservient to the existing structure.

It will not compromise the spatial pattern of the area and although highly visible from the street it is felt that it will not negatively impact the street scene.

Having regard to the design and visual amenity, the proposal is deemed to accord with DDM1 and DDM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

The extension is to be located on the eastern face of the building where, as the property is a corner plot, there are no other dwellings located, it is therefore considered not to overbear or overshadow any other property.

In terms of overlooking new fenestration would either face the side (eastern) garden or the rear of the property, which backs onto allotment gardens. As such no negative impacts from overlooking are foreseen.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

TPO TREES

The application site backs onto allotment gardens to the south, which are afford the TPO protection order

of TPO/AB/1/21. The extension would encroach onto the RPA of an Oak Tree situated on the southern boundary however not to the extent to warrant refusal as long as mitigation is taken in terms of the method of construction. It has been proposed to utilise pile foundations in the construction of the extension which is acceptable. Conditions will be added to enable the correct protection and management of development within the RPA of the tree in accordance with the NPPF.

SUMMARY

The proposed development is deemed to accord with the relevant development 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 Plans PL1 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 3 The Oak Tree denoted on plans shall not be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority and the Landowner. The area shown on plans as the RPA shall at the commencement of construction be protected from impact, burning of materials or the storage of materials and rubbish, except for in the immediate area of works and the works shall be built in accordance with notes 'Piled Foundations' on the approved plans.

Reason: To ensure the retention of vegetation important to the visual amenity, the ecological quality and for the environment of the development in accordance with policies D DM1 of the Arun Local Plan and the NPPF.

- 4 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.