

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

REF NO: A/110/18/HH

LOCATION: Four Elms
Ham Manor Way
Angmering
BN16 4JQ

PROPOSAL: First floor extension over existing garage to provide accommodation for the sole use of the existing dwelling. Resubmission of previously approved planning application A/16/11 (APP/C3810/D/11/2154095)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a first floor extension over the existing garage.
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RELEVANT SITE HISTORY

A/16/11/	Proposed first floor extension over existing garage	Refused 04-04-11 Appeal: Allowed+Conditions 06-07-11
A/17/09/	Additional bedroom, kitchen and shower room, providing ancillary space to main house. Resubmission following A/134/08.	Refused 20-04-09
A/134/08/	Proposed first floor flat over existing garage	Refused 19-12-08

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Parish Council - No comment.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary

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
CSP1	C SP1 Countryside
SDSP2	SD SP2 Built-up Area Boundary

[Angmering Neighbourhood Plan 2014 POLICY HD1](#) Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building with the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan (2011-2031). Additionally, policies HD1, HD5 and HD6 of the Angmering Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4).

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.

Policy HD1 of the Angmering Neighbourhood Development Plan states that development of the Angmering Village should be focussed within the Built Up Area Boundary.

Policy HD5 on the Angmering Neighbourhood Development Plan states that proposals should demonstrate their consideration of the proposal on its surrounding. This means that the proposed development should conform to the existing built form of the area, and constitute a positive addition to the current style, and design mix. New development must integrate well with the character of the locality and its landscape setting. Finally, it should not adversely impact upon the landscape setting, or any views in or out of the South Downs National Park.

Policy HD6 of the Angmering Neighbourhood Development Plan sets out criteria for the housing layout and design principles of proposed development. Proposals should demonstrate a high quality design, reflect local distinctiveness and incorporate local design features evident in buildings in the locality. Retention of trees and hedgerows is also encouraged.

DESIGN AND VISUAL AMENITY

The host dwelling is a two storey detached property. The site has a large frontage, allowing the proposed development to be set over 23m from the street. The setting is a low density estate, with golf courses to the front and rear of the host dwelling.

The area is populated by a wide range of varying styles and designs of dwellings, resulting in the area having no consistent distinctive characteristics, with regard to the scale or design of development. The proposed extension would be sited above the existing garage, and resultantly, would be visible from the road. Whilst the proposal would constitute a change in the visual appearance of the host dwelling, it is not considered to be detrimental to its established character. The proposed roof mimics the style of the existing garage, and will be made of materials of which match host dwelling, and the garage. The extension brings the maximum height of the garage to 6.6m, which causes the proposal to have a ridge height 14.28% lower than that of the host dwelling. Resultant of these factors, the proposed development is considered to have no significantly harmful impact on the established character of the area, as it is considered to appear subservient to, and well integrated with, the host dwelling.

Therefore, the proposed development is considered to be in accordance with D DM1(2), D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The first floor extension is located only 1.5m from the Northern boundary of the site. The adjacent dwelling has a garage to its Southern elevation, and therefore any potential overshadowing impact does not effect any principal habitable rooms of 'Studley'. As a result of the design its fenestration, the proposed development is not considered to cause any unacceptable loss of privacy to the adjacent occupiers of the application site. This is because one proposed window faces the street scene, and the proposed rear window provides views towards the rear garden. Therefore, none of the new proposed windows provide views that are unacceptable by way of overlooking and loss of privacy.

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:

- Site Plan - 1353 - 101 - Rev. A - 13.07.2018
- Proposed floor plans - 1353 - 103 - 13.07.2018
- Proposed Elevations, Sections A-A - 1353 - 104 - 13.07.2018

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 The materials and finishes of the external walls, roof and joinery 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.

- 4 The annex accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Four Elms, Ham Manor Way as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D D M1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.