

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

REF NO: A/116/18/HH

LOCATION: 6 Ashmore Avenue
Angmering
BN16 4GG

PROPOSAL: Conversion of garage loft space to a studio with new dormer to rear & new external staircase.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks permission for the alteration of the original detached garage through the construction of a staircase and dormer to create a studio. The proposed development would alter the design of the roof.

The proposed dormer is to be clad in timber.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
None

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Angmering Neighbourhood Plan 2014 POLICY HD4](#) Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site falls within the built area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In the determination of this application, the most relevant policy considerations are deemed to be policies D DM1 of the Arun Local Plan (ALP) and HD4 and HD5 of the Angmering Neighbourhood Plan. Guidance contained in the National Planning Policy Framework (NPPF) is also relevant.

Policy D DM1 of the ALP also requires development to reflect the characteristics of the locality and minimise its impact on neighbouring occupiers by way of privacy and outlook.

DESIGN AND VISUAL AMENITY

The proposed extension and alterations significantly alter the building and do not reflect the design or materials of the host dwelling or the dwellings in the area which have carefully designed dormers within their roof space. Policy HD4 of the Angmering Neighbourhood Plan states that extensions that, by virtue of their materials, are clearly inharmonious with the immediate surrounding area will generally be refused. The materials proposed for the cladding of the dormer do not match those of the host dwelling or those used in the immediate locality. The proposed dormer and staircase, although not visible from the street scene to the front elevation of the property, would be clearly visible from Roman Avenue and the area of open space to the south.

RESIDENTIAL AMENITY

With regard to residential amenity, the proposed alterations will be located in close proximity to the northern boundary of the site. Given the close proximity of the proposed staircase to the boundary, there would be views from it of the rear garden of No. 4. This is notwithstanding the proposal to erect a screen to the entrance. The staircase would still provide unimpeded views of the neighbouring rear garden at the point where it turns towards the entrance into the annex. This would constitute unacceptable overlooking.

With regards to the dormer windows these would provide direct views onto number 7 Horton Place where there is only a landing window. The dormer windows would have oblique views towards the rear of number 4. As such this outlook would not be unacceptable in terms of impact on neighbouring residential amenity.

SUMMARY

The proposed dormer and staircase would have an unacceptable impact on the character and appearance of the locality and constitute an unneighbourly form of development harmful to the amenity of adjoining occupiers. As such, the proposal is in conflict with the relevant development plan policies and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the

rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

RECOMMENDATION

REFUSE

- 1 The proposed development by virtue of its location, design, scale and materials used will have an incongruous impact upon the character and appearance of the area in conflict with policy D DM1 of the Arun Local Plan and policies HD4 and HD5 of the Angmering Neighbourhood Plan.
- 2 The location and close proximity of the proposed staircase will lead to an unacceptable level of overlooking of the garden of No.4 Ashmore Avenue in conflict 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.