

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

REF NO: A/121/17/HH

LOCATION: Harcourt
West Drive
Angmering

PROPOSAL: Single storey extensions to existing garage and pool

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposed garage extension measures 6.1m long by 3.23m wide with a ridge height of 4.4m and the pool extension measures 5.2m by 8m with a flat roof height of 2.8m and a false pitch surround. A double garage which had a footprint of 6.3m by 6.5m has been deleted from the application. The materials would match the existing.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

To east 0.4m high boundary walling with piers and black railings to approximately 2.5m. Hedging and flint walling to north.

SITE CHARACTERISTICS

Detached 2 storey dwelling with brick elevations, plain clay pitched roof some flint and some red brick quoins, brown window frames. detached single storey ancillary building comprising a garage and annexe to the east of the dwelling. An outdoor pool is located beyond the annexe building towards the site boundary and is enclosed by walling.

CHARACTER OF LOCALITY

Predominantly residential characterised by mainly detached 2 storey dwellings of varying design and style.

RELEVANT SITE HISTORY

A/101/99/

Single storey extension to house & conservatory extension.

ApproveConditionally
03-12-1999

A/54/01/	First floor extension to house (over existing ground floor extension).	ApproveConditionally 09-07-2001
A/8/04/	Erection of garden wall	Refused 19-03-2004
A/58/07/	Detached single garage and boundary wall with railing	ApproveConditionally 09-07-2007

REPRESENTATIONS

Representations received:

Angmering Parish Council

Objection - Non compliance with policies HD5, HD6 and HD7 of the Neighbourhood Plan, impact on surrounding area in terms of flood risk and highway safety for vehicles leaving the subject site and those exiting the Ham Manor Golf Club.

3 Support - Happy to see permission granted for this property. Having lived In West Drive since 1980 I have no objection to the proposed garage extension at Harcourt. I cannot foresee any disruption or inconvenience to the surrounding area with the development and therefore fully support the application.

17 Objections - Would be out of character and change the appeal of the area. It would replace a long standing garden area. Entrance to new garaging is on a particularly dangerous part of West Drive and visibility would be restricted. It would compromise the safety of road users. The proposed double garage parallel to West Drive will seriously impact on the street scene and considerably alter the character of this section of the road which is just before the entrance to the Golf Club. The proposed landscape when grown will create a high block adjacent to the road which is out of keeping with the entire area of the estate. Will set a precedent. I understand a lot of our services run in the direction of the proposed new build. Mr Cooper has already too many cars causing congestion to neighbour's and these proposed garages will not ease the problems as he seems to collect cars. This could bring down the value of our properties as it is a private estate with very strict covenants.

The garden area the applicant wants to build upon used to belong to my house and is right beside my property. This space has always been a garden and even when the previous owner tried to put a solid wall around it, approval was turned down because it was felt the wall was not in keeping with the area. Harcourt, the applicant's house, is around the corner and completely non adjacent to the proposed garage and driveway. Construction of the double garage and long driveway will completely change the street scene of West Drive.

Approval of this application will open the floodgates to any and all desires for garage extensions, building of sheds, porches, conservatories, parking spaces and what have you on the open spaces of the Ham Manor neighbourhood which is supposed to be kept as a landscaped area.

The garden area currently provides a crucial soakaway for all the rainwater that comes down off the slope of the New Road area on to West Drive. Building over this space will surely make matters worse. My house insurance company just raised my premiums telling me it's due to "surface water flooding" on West Drive. My house is about two metres higher than West Drive - something I pointed out to the

insurance company to no avail. The garage will be too near the foundations of my house; giving me cause to worry about the stability of my dwelling. The garage will also plunge an

area of my back garden into permanent deep shade. Harcourt, the original property when constructed and purchased, boasted 3 garages and parking for six additional cars all within the confines of the walling and gates. No Parking on West Drive was necessary, thus compliant and as defined in the covenants.

Thereafter, a double storey extension to the north side of the main house was approved and developed, thereby removing possibly two courtyard parking spaces.

Next came the illegal conversion of two garages into workshop/office space and subsequently into residential accommodation. The third garage was utilised for a swimming pool pump house and heater unit. Despite this, there is still courtyard space to park certainly 4-5 cars.

Now the current application is to effectively build a double garage with a forecourt that will presumably allow for additional exterior parking for at least four cars. Plus an extension to create a third Garage.

Recently the applicant advertised to rent out the converted garages with allocated parking for two cars within the existing courtyard. Further the applicant requested to know if I would allocate parking on my property thereby alleviating the problems he has of shuffling cars. I refused. Frequently he parks cars on West Drive with total disdain for covenants and other persons considerations.

This building is too near the road which will make it a safety hazard and will cause visual impairment to the surrounding properties and to members and visitors to the Golf Club.

Object to pool covering. It is outside of the original site curtilage, further obscures the site line from West Drive and has a flat roof which is not appropriate in this location.

Comments on Representations received:

It is agreed that the scheme originally submitted did not accord with the Neighbourhood Plan policies. The proposal included three extensions including a detached garage on land to the south which has now been deleted from the application together with the access. The application is now considered acceptable in terms of its impact on visual amenity and the character of the area for the reasons set out in the conclusion. There would be no supportable grounds for refusing the application in terms of highway safety or flood risk. Adherence to covenants is a private legal matter and devaluation of property is not a material planning consideration.

It is not considered that the amended proposal has any materially adverse impact on the residential amenities of adjoining properties.

The flat roof to the pool cover reduces the prominence of the structure and following negotiation a false pitch has been incorporated to 3 sides to ensure the roof is not unduly prominent and is also in keeping with the visual amenities of the area.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7
DEV19

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

Publication Version of the Local
Plan (October 2014):

D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
SD SP2 Built-Up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY
HD4

Materials

Angmering Neighbourhood Plan 2014 POLICY
HD5

Built Form

Angmering Neighbourhood Plan 2014 POLICY
HD6

Housing Layout & Design

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policies HD 4, HD5 and HD6 of Angmering Neighbourhood Plan policies are relevant to consideration of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Although the application site is outside the built up area boundary the property is situated within an established residential area and forms part of a residential curtilage where the principle of development is acceptable subject to compliance with relevant development plan policy.

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design and layout. Further Policy DEV19 indicates planning permission will only be granted for extensions to existing residential buildings provided that

- (i) the extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
- (ii) the extension is visually subservient to the main building;
- (iii) the extension does not have an adverse overshadowing, overlooking or overbearing effect on

neighbouring properties;

- (iv) in streets characterised by relatively small gaps at first floor level between any buildings, any extension at first floor level does not come to within a minimum of one metre of the side boundary;
- (v) the extension does not compromise the established spatial character and pattern.

The application originally submitted comprised 3 elements: a garage extension, pool room extension and a detached double garage. The main concern with the application originally submitted was the site coverage and visual prominence of the proposal. Following negotiation with the agent the detached garage on land to the south of the dwelling was deleted from the application and the width of the garage extension reduced and a false pitch was incorporated to the pool house. The remaining elements of the proposal retain a 1m gap to the northern road frontage and are positioned adjacent to existing single storey buildings. They are no closer to the northern road frontage than the existing dwelling Harcourt and no closer to the West Drive frontage to the east than other properties to the north and south and are considered to be acceptable in terms of the impact upon the street scene, their design, height and form in compliance with policies HD5 and HD6 of Angmering Neighbourhood Plan .

It is considered that the single storey extension to the existing garage/annexe would be of a size and proportions to constitute a subservient extension that would relate sympathetically in form scale and materials with the main building and existing annexe. The design would replicate that of the existing annexe building. The materials would match the existing dwelling and garage in compliance with policy HD4 of Angmering Neighbourhood Plan. It would not be located adjacent to neighbouring residential dwellings and would have no materially adverse effect on residential amenity.

The pool extension would also accord with these criteria. The pool itself is already screened on all sides by walling.

As such the proposed extensions are not considered to be harmful to the character and appearance of the host property or the wider area.

Due to the presence of the existing garage and orientation on the plot the proposed extensions will have no impact upon the amenity of adjoining occupiers.

There are no parking implications arising from the amended proposed development.

In summary, the proposed development is not considered to be harmfully visually obtrusive or prominent and would not have a materially adverse impact on the visual or residential amenity. The proposed development is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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.

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 Block plan 001 C, Proposed Site Plan 003 C, Proposed Elevations 004 C and Street Scenes Sheet 1 and 2 .

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District 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 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.