

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

REF NO: A/132/18/HH

LOCATION: 53 Mill Road Avenue
Angmering
BN16 4HX

PROPOSAL: Cladding to dormer in Marley Eternit Cedral hung horizontally, all windows in dormer & main house to be changed to dark gray aluminium to match those approved by A/159/16/HH for rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed application seeks to clad the dormer with Marley Eternit Cedral and replace the existing windows on both the dormer and the main house with dark grey aluminium.
----------------------------	---

RELEVANT SITE HISTORY

A/130/18/NMA	Non material amendment following the grant of A/159/16/HH to change cladding from vertical to horizontal.	Approve 21-11-18
A/128/18/CLE	Lawful development certificate for existing cladding to dormer face & cheeks being of materials of similar appearance to materials of existing building.	
A/159/16/HH	Conversion of garage into habitable space & single storey rear extension linking to garage (resubmission following A/36/16/HH).	ApproveConditionally 21-10-16

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Parish Council - No objection.

Objections received from occupiers of nearby dwellings:
Parish Council - No objection.

4 representations received (three from one property):

- The proposal would have no visual relationship to neighbouring dwellings.
- The extension dominates the garden of #57 Mill Road Avenue.
- The boundary trees have been removed, and therefore there is less screening.
- French doors on the dormer could allow access to the roof of the single storey rear extension.

Council response:

- Siting to rear makes relationship acceptable
- Extension approved separately
- The proposal is for alteration to cladding and window material which has no impact on neighbour by way of overlooking

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
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
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 HD5 Built Form

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 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, Policies HD1, Hd4, 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 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 HD4 of the Angmering Neighbourhood Development plan seeks to ensure that development requiring planning permission which, by virtue of their materials, are inharmonious with the area, are refused.

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 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

Resultant of its siting at the rear of the property, the cladding of the rear dormer will not be visible from the street scene, and therefore, is not considered to have a significant impact upon the character of the wider locality. Whilst the proposed cladding is visually different to the existing tiling, it is not considered to cause the dormer to appear as inharmonious with the surrounding area. Therefore, the application is considered to be in accordance with D DM1(1) and (2), and HD4 of the Angmering Neighbourhood Development Plan.

The proposed change of window materials is not considered to have a significantly detrimental impact upon the established character of the locality, as a result of their limited visual presence. Additionally, they match those used on the rear extension approved under A/159/16/HH, and are considered to progress the modernisation of the property as a whole. The proposed change of windows are considered to be in accordance with D DM1, D M4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal is not considered to have a significantly detrimental impact upon residential amenities of neighbours, by way of overshadowing, overbearing or overlooking. Whilst the proposal does represent a visual change, it is not considered to result in a significantly harmful overbearing or overshadowing impact. The dormer is 2.9m and 4.7m from the Southern and Northern boundaries of the site respectively, and in the case of the Southern boundary, the closest building is a garage. This dormer is then 12m and 27m from #57 and #59 Mill Road Avenue respectively.

The proposed window alterations are not considered to have any significant impact upon neighbouring residential amenity.

The application 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 plan:

- Proposed for Lawful Development Application - 15060/LDC - 06/09/2018

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 of the external walls of the dormer permitted shall be clad in Marley Cedral Lap - C104 Light Oak as confirmed in the following email:

- Liz Galloway - 23/10/2018 - 13:37

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun

Local Plan.

- 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 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.