

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

REF NO: A/156/18/HH

LOCATION: 18 Pine Trees Close
Angmering
BN16 4LT

PROPOSAL: Installation of fence and decking to rear

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a fence, and decking to the rear of the host dwelling.

RELEVANT SITE HISTORY

A/120/18/HH Retention of replacement larch lap fence & decking to rear elevation.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

[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)
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, 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.

DESIGN AND VISUAL AMENITY

The proposed development is focused to the rear of the host dwelling, and resultantly is not considered to have a significantly harmful impact upon the spatial pattern or character of the area. Due to its nature, the proposed development does not materially alter the massing of the host dwelling, as it is a fence. The proposed decking increases the built footprint of the site, but not the massing, as a result of it being only 0.3m high. Therefore, the proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have a significantly harmful impact upon the residential amenities of neighbouring dwellings. This is as a result of the modest scale of the development, and the aspect of the application site. Additionally, whilst it is noted that the decking raises the ground level by 0.3m, the fencing which also forms part of this application is considered to screen any views that would result in a loss of privacy to the occupiers of the adjacent dwelling. The application is considered to be in accordance with D DM1(3) and D DM4(c) of 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:

- Block Plan - 100053143
- Photo of fence - Showing the fence as measuring 193cm to ground below deck, and 205cm at a point South of this.
- Site Photo - Showing the decking as measuring 4.8m x 3m x 0.3m

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 **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.