

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

REF NO: A/162/18/HH

LOCATION: 10 Ashurst Way
Angmering
BN16 1AG

PROPOSAL: Garden outbuilding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an outbuilding, in the rear garden of the host dwelling.
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RELEVANT SITE HISTORY

A/128/09/NMA	Application for a non-material amendment following a grant of planning permission A/55/09/ to omit the side extension and place a flat roof on the rear extension without the false pitch	Approve 07-12-09
A/55/09/	Ground floor extension to side & rear. 1st floor dormer to rear of existing dwelling. Existing garage to be removed.	ApproveConditionally 31-07-09

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Parish Council - No objection.

2 letters from nearby occupiers:

Objection

- Too big
- Too close to property line
- How will the trees be maintained?

No objection

- Can it be assured that there will not be a business use will be permitted?

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. The planning application has been submitted for the outbuilding to be built. If the outbuilding were to change use to be a business unit, this would need a different application. The maintenance of the trees is not considered during the determination of this planning application, as it is not a planning concern.

CONSULTATIONS

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

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 of the Arun Local Plan and 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 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

The proposed development is sited in the rear garden of the host dwelling, and therefore, is not visible from the street scene. It measures 7.6m wide, at 3.1m at its maximum ridge height. It is not considered that the proposed materials would be out of character, as they are not visible from the street scene. The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is 0.15m from the Eastern boundary of the application site, and only 1.7m from the Western side. However, it is not considered to have an unneighbourly appearance, as the outbuilding is only 3.6m deep, and therefore, there is not considered to be any significant overbearing or overshadowing impact to occupiers of the adjacent dwelling. The proposed development is considered to be in accordance with D DM1(3) 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:

- Block Plan - 20 DEC 2018
- Floor Plan
- Front/Rear Elevations
- North & South Elevations

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.