

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

REF NO: A/179/25/HH

LOCATION: 11 Swallows Gate
Angmering
BN16 4QG

PROPOSAL: An open timber-built lean-to canopy along the south elevation with solar panels.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Angmering Parish Council - No response received.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built Up Boundary Area.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a detached house located at 11 Swallows Gate. This application seeks planning permission for the construction of an open timber built lean-to canopy with solar panels. The proposed development is sited at the end of a cul-de-sac and the proposal would be in keeping with the established character of the area and street scene.

The proposed open timber built lean-to canopy would be constructed to the southern flank of the host dwelling, and would have a depth of 7.9m and a width of 2.2m. The mono-pitched roof would have a maximum height of 3.1m and an eaves height of 2m.

It is noted that the proposed open timber-built lean-to canopy would be located on the southern (side) elevation of the host dwelling and therefore has been assessed against the Arun Design Guide Part M for side extensions and canopies.

Part M of the Arun Design Guide (ADG) states canopies should avoid a 'bolt on' appearance and this has been addressed through the use of appropriate design, scale, materials, and a mono pitched roof and would integrate well with the host dwelling.

Furthermore, the separation distances range from approximately 0.48m to 4.3m between the proposed open timber-built lean-to canopy and neighbouring southern boundary would partially comply with side extension distances within the ADG. Furthermore, due to the tapered boundary, the proposed lean-to would not unacceptably reduce spacing within the street scene. The proposal would be finished in timber posts with brick piers and tiles to match the existing. Overall, the proposed side extension would be a sympathetic addition to the host dwelling, and would not result in harm to visual amenity.

The proposal seeks the installation of solar panels to the south elevation roof slope of the open timber canopy. The solar panels would be partially visible from the street scene and would be integrated sympathetically within the roof slope with the use of roof tiles to match the existing. Furthermore, it is noted that neighbouring dwellings have existing solar panels and as such, the proposed solar panels would not result in harm to visual amenity.

The proposed open timber-built lean-to canopy would be subservient and well-integrated with the host dwelling through the design and use of materials proposed. Given the siting, size, scale, and design the proposal would not cause harm to visual amenity, character or appearance of the dwelling, street scene, or wider area. The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed open timber-built lean-to canopy would be constructed to the southern flank elevation with solar panels within the roof slope.

Part M of the ADG states that side extensions should be set in 1m from the side boundary and it is noted that the proposal would not strictly comply with this criteria. However, it is noted that the proposal would be an open timber-built lean-to canopy and existing high boundary treatment would be retained, and therefore the development would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

SUMMARY

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

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:

- Roof Plans and Proposed Site Plan 02.
- Existing and Proposed Floor Plans.
- Proposed Elevations 05.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.