

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

REF NO: A/26/26/HH

LOCATION: 23 Hornbeam Avenue
Angmering
BN16 4PS

PROPOSAL: Construction of a new, single storey extension to the rear elevation and internal alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Angmering Parish Council - No objection.

No representations received from nearby occupiers.

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)

[Angmering Neighbourhood Plan 2014 POLICY HD4](#) Materials

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 includes a semi-detached, two storey dwelling with existing loft accommodation served by front and rear dormers. The proposal is for a single storey rear extension.

The proposed extension would have a width of 7.3m and a depth of 6m. The extension would have a flat roof form with a height of 3m, incorporate two roof lanterns. This type of flat roof extension is common along Hornbeam Avenue; three other flat roof rear extensions have been implemented within close proximity to the application site.

With a depth of 6m, the extension would exceed the guidance for rear extensions set out within the Arun

Design Guide (ADG). However, given that the resultant rear garden depth would be maintained in accordance with the ADG guidance, and the siting of the proposed extension to the rear of the dwelling, obscured from the street scene by existing built form, the depth of the rear extension would not result in harm to visual amenity.

Angmering Neighbourhood Plan policy HD4 advises that developments should, by virtue of their materials, be harmonious with the locality. Set on a new build estate, Hornbeam Close is of a more modern design than the historic village centre, where flint and hanging tiles are common. The brickwork and UPVC fenestration would respond well to the existing material palette, resulting in no harm to design or visual amenity.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The extension would be erected up to the existing boundary wall shared with number 21 Hornbeam Avenue. The proposed extension would result in an intrusion of the 45-degree line, as described in the Arun Design Guide, when taken from the centre of the double doors at 21 Hornbeam Avenue. Any sense of enclosure resulting from the extension would be exacerbated by the existing garage at number 21; the patio would be flanked on both sides by built form. However, extensions of this nature are prevalent along Hornbeam Avenue, and given the existing high level boundary treatment along the shared boundary with this neighbour and that the rear fenestration of this neighbour is already subject to overshadowing from the existing neighbouring garage structure, the proposed extension would not result in unacceptable overbearing or overshadowing impacts to the neighbour to the west, 21 Hornbeam Avenue.

To the east, the host dwelling abuts a row of terraced houses (1-3 Cresswell Square). The western flank elevation of the host dwelling does not run parallel to the rear boundaries of the terrace. Due to this, the bulk of the extension would be mostly set back from the site boundaries. Given the orientation of the host dwelling and the resultant relationship between the proposed extension and the neighbouring properties to the east, and the spacing maintained between the built form and the eastern side boundary, the proposed extension would not result in overbearing or overshadowing impacts to these neighbours.

The proposed fenestration would be isolated to the rear elevation of the rear extension and as such, it would have an outlook over the rear garden serving the host dwelling. Therefore, the proposed extension would not result in any overlooking. An additional window and door are proposed within the eastern flank elevation of the host dwelling. Given the spacing between the fenestration and the eastern side boundary and the ground floor siting of the fenestration, the proposed fenestration would not result in any overlooking.

While there is some conflict with Arun Local Plan policies D DM1 and D DM4, and the proposed extension would result in some overbearing impacts to the adjoining neighbour to the west. However, it is noted that a single storey rear extension of a similar size and scale could be constructed under extended permitted development rights, and given the existing high level boundary treatment along the shared boundary with this neighbour and that the rear fenestration of this neighbour is largely overshadowed by the existing garage structure to the rear of this neighbour, the proposal would not result in demonstrable harm so as to justify the refusal of planning permission.

SUMMARY

The proposal is broadly in accordance with relevant development plan policies and is therefore 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:
 - Site Location Plan and Proposed Block Plan P.00 B.
 - Proposed Ground and First Floor Plans P.03 A.
 - Proposed Second Floor and Roof Plan P.04 A.
 - Proposed Elevations P.05 B.
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.