

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

REF NO: A/38/26/HH

LOCATION: Field House
The Thatchway
Angmering
BN16 4HJ

PROPOSAL: Detached curtilage building for carer's accommodation and 2 No. additional parking spaces with permeable surface.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

A/39/25/HH	Erection of two storey side extension.	ApproveConditionally 12-05-25
A/124/11/	Detached garage. (Re-Submission following A/139/10).	ApproveConditionally 02-11-11

REPRESENTATIONS

Angmering Parish Council - No objection. Noted that there has been a similar application approved on this site which has lapsed. It welcomes the intention for the design and materials of the building to match the existing Field House thereby maintaining the streetscene of The Thatchway and the Grade II* listed church close by. It also welcomes the intention not to cause harm to the surrounding vegetation and to respect and improve the wildlife habitation in that area. However, APC does have concerns of the closeness and strength of the boundary with the Black Ditch which is prone to major flooding as in 2012/2014.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Tree Officer - No response received.

POLICY CONTEXT

Tree Preservation Order.
Archaeological Notification Areas.
Arun Valley IRZ.
Flood Zone 2.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
ENVDM4	ENV DM4 Protection of trees
WDM2	W DM2 Flood Risk

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 contains a two-storey detached dwelling with a detached garage within a substantial plot along The Thatchway. This application seeks planning permission for the construction of a detached outbuilding annexe for carer's accommodation with two additional parking spaces constructed from permeable surfacing. The works would be partially screened from the street scene by mature planting serving as the boundary treatment.

The proposed outbuilding would measure 5.6m wide, 8.2m deep, with a pitched roof with a maximum height of 4.7m and an eaves height of 2.4m. It would feature a porch canopy extending 1m from the front (north west) elevation. The outbuilding would be constructed of materials to match the host dwelling. Due to its siting, the outbuilding is likely to have minimal impact on the visual amenity of the host dwelling and would not appear as an incongruous or prominent structure within the street scene, given the existing boundary treatment and mature vegetation along the site boundary.

A condition has been attached to the permission requiring the outbuilding to remain ancillary to the host dwelling, preventing its use as a separate unit of accommodation. It is also noted that the internal space standards for a two-bedroom dwelling are not met, and any future subdivision would therefore be unlikely to succeed on these grounds.

The proposed outbuilding annexe would not appear as an overdevelopment of the site. The proposal is in accordance with policy D DM1 of the Arun Local Plan (ALP).

NEIGHBOURING RESIDENTIAL AMENITY

The outbuilding annexe would be sited to the north east corner of the garden and would be screened by mature vegetation. The outbuilding would be set in 4.4m at its closest point from the boundary with the highway to the front and 7m to the boundary to the rear shared with the Health Centre. Due to the siting and scale of the outbuilding and the spacing maintained between the boundaries, the proposed

outbuilding would not result in any overbearing or overshadowing impacts.

The outbuilding features fenestration on each elevation which would overlook the private garden and would not result in any overlooking impact or loss of privacy on the neighbouring dwellings.

The proposed outbuilding annexe is in accordance with policy D DM1 of the ALP in that it would not result in adverse overshadowing, overlooking, or overbearing effects on neighbouring properties.

TREES

The siting is such that part of the canopy of mature Oak (T1) would overhang the outbuilding annexe. The Design and Access statement states that it is intended that either a raft foundation (as previously proposed in the approved A/124/11/PL) or a helical screw pile system be used to obviate any detriment or distress to T1. Further, that the requisite soakaways will be sited to ensure continued hydration to T1.

Notwithstanding the above, given the proximity of the proposed outbuilding to the protected Oak tree, it is reasonable to attach a pre-commencement condition to this planning permission to require details including a tree constraints plan, tree survey, arboricultural method statement and tree protection plan, to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The submitted details should seek to ensure that the proposed development would not result in harm to the protected tree or its root system, in accordance with ALP policy ENV DM4.

FLOOD RISK

The south western part of the application site is located within Flood Zone 2. The proposed outbuilding would not be sited within a flood zone and would not increase the risk of flooding elsewhere in the District. The proposal is therefore in accordance with ALP policy W DM2 and the NPPF.

SUMMARY

The proposed development is in accordance with relevant Development Plan policies and as such 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:

Location and Block Plan 26/5086/1.

Proposed Plans and Elevations 26/5086/2.

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

- 3 Prior to the commencement of the development hereby permitted, the applicant must submit a report from an arboricultural consultant, inclusive of a baseline Tree Survey Schedule (TSS), and Tree Constraints Plan (TCP), to help ascertain the relationship between existing trees and the proposed development, to the Local Planning Authority for approval. Written confirmation of acceptance of both Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) must be issued before any enabling, demolition or construction works are commenced on site. Subsequent to their approval, all activity at the site is to be carried out in strict accordance with the AMS and TPP.

Reasons: To comply with BS5837:2012 and ensure the retention and protection of trees which are an important feature of the area, in accordance with Arun Local Plan policies ENV DM4 and D DM1. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 4 If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area in accordance with Arun Local Plan policies ENV DM4 and D DM1.

- 5 The detached outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Field House and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an

additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 6 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).

- 7 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.