

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

REF NO: A/39/25/HH

LOCATION: Field House The Thatchway
Angmering
BN16 4HJ

PROPOSAL: Erection of two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

A/125/22/HH	Proposed 2 storey side extension	ApproveConditionally 03-08-22
A/110/19/HH	Two storey side extension.	ApproveConditionally 17-12-19

REPRESENTATIONS

Angmering Parish Council - No objection.

One objection was received from a nearby occupier stating that the extension extends too close to the side boundary and would block light to their side window. Concerns were also raised about access for maintenance of a hedge between the two properties and the impact of the extension on the neighbours ability to fulfil the requirements of a covenant relating to the hedge.

Whilst it is noted that concerns have been raised in relation to a covenant requiring the retention and maintenance of the boundary hedge, this is not a material planning consideration and therefore does not form part of the assessment of this planning application. The impact of the extension on neighbouring residential amenity in terms of overbearing and overshadowing are addressed in the conclusions.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

[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)

REPORT_1011(ODB)

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

CONCLUSIONS**SITE HISTORY**

The proposed two storey side extension was approved under A/110/19/HH and A/125/22/HH. These permission have now lapsed.

DESIGN AND VISUAL AMENITY

The application site contains a large detached two storey dwelling situated on the corner of The Thatchway. The application proposes a two-storey side extension and an extension to the existing patio at the rear of the dwelling, sited behind the proposed extension.

The proposed two-storey side extension would measure approx. 9m wide and 7.9m deep. The extension would be substantial in scale and it would not be set down from the main ridge height or set back from the principal elevation, in partial conflict with policy D DM4 of the Arun Local Plan which states that extensions should remain visually subservient to the main dwelling. However, the addition would remain sympathetic to the host dwelling, maintaining existing building lines, ridge height and existing eaves. The extension would be finished in materials and using architectural features that would match those of the existing dwelling. While not visually subservient to the host dwelling, the extension would be visually integrated. The area is characterised by large, detached dwellings with substantial curtilages and individual designs, this proposal remains in character with the host dwelling and its locality.

The proposed patio element is moderate in scale and connects to the existing patio to the rear of the property. It would not impact the character or visual amenity of the locality.

Although there is some conflict with Arun Local Plan policy D DM4, overall, the extension would not harm the character or visual amenity of the area and is in accordance with policy D DM1 of the Arun Local Plan and partially in accordance with policy D DM4 and the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed two storey side extension would be set in 1m from the west (side) boundary. This boundary borders a parking area used by the neighbouring dwelling to the west, and there is a significant distance between the proposed extension and the neighbouring dwelling. The extension is located to the north east of the neighbouring property and would not result in overshadowing effects. The extension is located away from all other properties, and would not result in adverse overbearing or overshadowing.

The proposed additional fenestration associated with the extension would not provide any views that are not presently available from the existing dwelling. As such, there will be no significantly adverse impacts by way of overlooking on any neighbouring properties.

The extension to the patio would extend the raised platform to within approximately 1m of the west (side) site boundary. To mitigate any direct overlooking of the adjacent property (Beavers Brook), obscure screening is proposed along the western and part of the southern elements of the patio. This will

sufficiently screen any views that would give rise to adverse impacts by way of overlooking to Beavers Brook. The screening will required to remain in perpetuity.

The proposed development is in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

FLOOD RISK

A small section of rear of the site, along the rear boundary is within Flood Risk Zone 2. The proposed extension does not extend into this area, and the proposal is acceptable in terms of flood risk in accordance with policy W DM2 of the Arun Local Plan.

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 plans 18/4553/1 B
- Proposed section, west elevation and roof plan 18/4553/8 A
- Proposed north and south elevation 18/4553/7 A
- Proposed ground + first floor plan and privacy screen detail 18/4553/6 A
- Biodiversity enhancement statement

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 The patio hereby approved shall have fully obscured screening to a minimum height of 1.8m in the positions shown on the proposed ground and first floor plans (Dwg. 18/4553/6). The screening shall be provided prior to its first use, and this arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 4 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

- 5 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).

- 6 **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 National Planning Policy Framework.