

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

REF NO: A/41/20/HH

LOCATION: 32 Chantryfield Road
Angmering
BN16 4LZ

PROPOSAL: Erection of a summerhouse to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a summerhouse in the rear garden of the application site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Parish Council - No objection.

3 letters of objection:

- The summerhouse is close to the boundary of the application site.
- The outbuilding is 2.65m high.
- The outbuilding affects the view of neighbouring dwellings.
- The outbuilding is being used as accommodation for a teenage boy.
- The outbuilding results in overlooking, and a loss of privacy.
- Fence panels have been erected to screen the summerhouse.
- Someone may be sleeping the in the summerhouse.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. Loss of view is not a planning consideration. Use of summerhouse for incidental sleeping accommodation does not require consent.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

[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:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 of the Arun Local Plan. Additionally, HD1, HD4, HD5 and HD6 of the Angmering Neighbourhood Development 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 will not be visible within the street scene, as a result of its modest scale, and siting in the rear garden of the host dwelling. The proposed outbuilding is not considered to appear inappropriate within the area it is sited, as it is sited approximately 11m from the host dwelling itself.

The proposed development is not considered to have a significantly harmful impact upon the character of the host dwelling, or the locality. The proposal is considered to be in accordance with policy D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significant overbearing, or overshadowing impact upon the occupiers of neighbouring dwellings. This is due to the modest scale of the outbuilding, and its separation distance of approximately 10m from nearby neighbouring dwellings.

With regard to loss of privacy to neighbouring occupiers, the single storey nature of the outbuilding and intervening boundary fence means that any views available from the building are no different to those currently available from the rear garden. It is also noted that there are no windows proposed to either side of the building.

Furthermore, it should be noted that the outbuilding is very similar to an outbuilding of which could be constructed under Permitted Development and therefore not need planning permission.

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: 1652/01/Rev A.

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.