

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

REF NO: A/42/18/HH

LOCATION: 59 Palmer Road
Angmering
BN16 4LJ

PROPOSAL: Demolition of existing conservatory, garage & canopy structure & erection of single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to demolish the existing rear conservatory, side garage and canopy structure in the rear garden of the property.
SITE AREA	Approx. 455.2sq.m.
TOPOGRAPHY	The site is set up slightly from the road.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The proposal is open plan to its front elevation. The Eastern boundary is bordered by a 1.7m high wall with a 0.2m trellis, with the Western side bordered by 1.8m high fencing.
SITE CHARACTERISTICS	The site is populated by a semi detached bungalow. with an existing rear extension. Additionally, there is a large canopy area, and a side garage.
CHARACTER OF LOCALITY	The area is populated by a mix of housing styles and types. The application site is adjacent to a large, hard-standing parking area.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
Parish Council - No objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

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

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local

Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Angmering Parish has a 'made' neighbourhood plan, of which policies HD4 and HD6 are considered to be relevant to this development.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in DEV19 and GEN7 of the Arun District Council Local Plan, and the relevant policies in the Angmering Parish Neighbourhood Plan. The relevant policies in the Emerging Local Plan and guidance in the National Planning Policy Framework comprise other material considerations.

DESIGN AND VISUAL AMENITY

As a result of the siting of the proposal, there are very few views available of the extension from the

street scene. Therefore, the proposal is not considered to give rise to any unacceptably adverse impact on the character of the locality of the established spatial pattern of the area. This is also helped by the proposed materials (to match the existing dwelling).

As a result of modest scale of the proposed extension, it is deemed to remain visually subservient to the host dwelling, nor is it deemed to harm its established character.

Therefore, the proposed development is considered to be in accordance with GEN7(ii) and DEV19(i),(ii) and (v) of the Arun District Council Local Plan. Additionally, Policies HD6 and HD4 of the Angmering Parish Council Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed extension is not considered to give rise to any significant overbearing or overshadowing impact on adjacent dwellings. Additionally, there is not deemed to be a significant loss of privacy as the view from the new openings on the Northern elevation is impeded by the fencing between the two properties. Additionally, the views from the extension are ground floor and therefore, would be no different from those available from the garden itself if there were no fencing.

The proposal is deemed to be in accordance with policies GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with the 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:

- Location/Block/Roof Plans - 1604-01 A - Feb 2018
- Proposed Plan - 1614-04 - March 2018
- Proposed Elevations - 1614-05 - March 2018
- Perspective Views - 1614-06 - March 2018

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 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.