

Recommendation Report for Planning Permission

REF NO: **A/61/14/PL**

LOCATION: William Older School Building
 Arundel Road
 Angmering

PROPOSAL: Single storey extension to existing play school building

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The extension measures approximately 16m in length, approximately 8.4m in depth and approximately 4.2m in height. It will have a brick base and clad elevations stained black. A metal roof is proposed for the structure which will match existing. The extension will comprise of a playgroup room, family/staff restroom, store area and WC.

SITE AREA

Approximately 1055 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Situated within a school compound it shares with St. Margaret's primary school, the boundaries to the site consist of metal fencing, hedging and trees at upwards of 1.5m in height. The internal boundaries for the William Older pre-school comprises wooden fencing to front at approximately 1m in height and to the rear at approximately 2m in height.

SITE CHARACTERISTICS

The application site consists of a pre-school which is a single storey building with brick and timber clad elevations and a pitched steel roof. A sizeable timber lean-to is situated to the side (east) with porches at the front and rear. There are outside play areas located to the rear and side (east). The site is situated above road level and is predominantly flat.

CHARACTER OF LOCALITY

Predominantly residential in character, the William Older pre-school adjoins and shares the site with St. Margaret's primary school to

the south. There are shared car parks to the north and south with open fields beyond the northern boundary. Residential properties are mainly situated to the west along Arundel Road and to the south.

RELEVANT SITE HISTORY

A/188/06/	Replacement of existing timber playgroup building with purpose built permanent building for continued use as a children's playgroup.	ApproveConditionally 02-02-2007
A/85/13/	Construction of new independent timber framed lean-to structure to West elevation of existing playgroup building.	ApproveConditionally 16-08-2013

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

There is no objection to the proposed extension of the building, nor to the extension to the playground, provided that the land used for the playground extension remains designated as agricultural land. Mitigation needs to be specified for the loss of 4 mature Hawthorn trees.

Comments on Representations received:

Comments noted. However, the relocation of the existing playground to the north-east is not for consideration in this application. Amended Location and Site layout plans have been sought and received on 7th July 2014 to demarcate the curtilage of the school only and excludes the agricultural land to the north-east. Consequently, there is no loss of agricultural land in this application.

There are no trees of any visual significance affected by the school extension as it will occupy an area on existing hardstanding used as a play area. By clarifying the situation with the play area now excluded from a change of use from agricultural land, the 4 mature Hawthorn trees identified by the Parish Council are not considered to be affected by this proposal.

CONSULTATIONS

Playschool Registration Unit

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[GEN12](#)

Built-up Area Boundary
The Form of New Development
Parking in New Development

Publication Version of the Local Plan -
Excluding the Spatial Portrait, Employment,
Housing Allocations, Transport, Monitoring and
Implementation sections (February 2014):

D SP1 Design
D DM1 Aspects of Form and Quality

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is principally policy GEN7 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a single storey extension to be erected to the rear of a pre-school.

The proposed extension will be predominantly situated to the rear of the existing building where it will not be especially prominent from the road due to a considerable set back distance and tree screening over 3m in height in this area of the site. Whilst a side section of the extension will be visible when viewing the school from the front, this is comparatively small in length at approximately 2.7m and its roof has been stepped down so as to maintain visual subservience with the existing building.

The proposed materials for the extension will comprise of a brick base with cladding that will complement and acceptably blend it in with the wooden clad elevations of the school.

It is therefore considered that the proposed extension complies with relevant policy GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

Due to an absence of immediately neighbouring properties with the nearest being over 40m away to the west on Arundel Road, it is considered that there will be no harmful effects on residential amenity caused by the proposed extension by way of overshadowing, overbearing, overlooking or loss of privacy. The additional intensity and any disturbance that may be caused by the extension is not considered to be at harmful levels on account of the significantly larger educational site on which the building sits and the comparatively small footprint of the extension. A condition

restricting its hours of operation is proposed to further ensure that any disturbance is contained to acceptable levels.

It is therefore considered that the proposed extension is acceptable in residential amenity terms and so it complies with policy GEN7(iv) of the Arun District Local Plan.

It is therefore recommended that the application be approved, 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 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

Duty under the Equalities Act 2010

In assessing this proposal, a neutral impact has 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.

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: Substituted Location plan with drawing number 1114.SPO1 Rev A dated April 2014 and Substituted Block plan with drawing number 1114.spo2 Rev A (Site layout plan) dated April 2014, 1114.epo1 (Existing floorplans and elevations) dated April 2014 and 1114.PO1 (Proposed floor layout and elevations) dated April 2014.

Reason: For the avoidance of doubt and in the interests of amenity and the environment

in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external roof of the extension hereby permitted shall match in colour and texture to that of the existing building.

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

- 4 The hours of operation for the use of the extension to the William Older school hereby approved shall be Monday - Friday 08.50am - 17.00pm only.

Reason: To enable the Local Planning Authority to control the use of the premises and protect residential amenity in accordance with Arun District Local Plan policy GEN7.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.