

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

REF NO: A/85/25/HH

LOCATION: 21 Pine Trees Close
Angmering
BN16 4LT

PROPOSAL: Single storey side/rear extension, following demolition of existing detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Angmering Parish Council - No objection.

No representations were received from nearby occupiers.

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)

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 is a semi-detached bungalow with existing loft accommodation. The proposed extension would extend beyond the existing eastern flank and rear elevations of the host dwelling, thus some views of the extension would be visible from the street scene. The extension would have a depth of 3m from the rear elevation, extending approximately 2.9m in width from the eastern flank elevation. The extension would have a crown roof with a small pitched section. The extension would have a height of 2.8m. The extension would remain subservient to the main dwelling in accordance with policy D DM4 of the Arun Local Plan. The proposed materials are brick work and concrete tiles, which match the materials of the existing dwellinghouse, helping the addition to integrate in accordance with policy D DM1 of the Arun

Local Plan.

Following the proposed extension, the rear garden will have a depth of 5.5m, in conflict with the Arun Design Guide (ADG), which states that extensions should maintain a rear garden depth of 10m. Smaller rear gardens are a feature of the bungalows in the this area, and many properties have a similar depth of rear garden, having implemented rear extensions of a similar depth. Given that the depth of the extension is not excessive, and a similar depth of extension could be achieved as permitted development, the reduced rear garden depth is acceptable in this instance.

Although there is some conflict with the Arun Design Guide, the proposals are in accordance with Arun Local Plan policies D DM1 and D DM4 and partially in accordance with the Arun Design Guide, and will not harm the character or visual amenity of the property or surrounding area.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed extension would not extend substantially beyond the furthest extent of the rear elevations of neighbouring properties. However, it would extend beyond the rear elevation of the properties to the east and west adjacent to the boundary. There is a window in this section of the western flank elevation of the neighbour to the east, and the extension will create some overbearing and overshadowing impact on this window. There is a window within the rear elevation of the neighbour to the west, close to the shared boundary with the application site. As the extension would be constructed up to the shared boundary with the neighbour to the west, the extension would result in some overbearing and overshadowing impact on this window which is exacerbated by the neighbours existing rear projection. Notwithstanding this, it is noted that there is high level boundary treatment along the western side boundary, and the extension would not be excessive in depth or height. It is also noted that a similar extension could be achieved under permitted development. For the reasons stated, any overbearing or overshadowing effects will not be so significant so as to justify the refusal of planning permission in this instance. The proposed windows are on the front and rear elevations at ground floor level and will not result in overlooking effects.

Although there would be some impact on the neighbouring dwellings to the east and west, the proposals are in accordance with policies D DM1 and D DM4 of the Arun Local Plan, in that they do not result in unduly harmful impacts on neighbouring amenity.

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:

- Proposed First Floor and Roof Plan 02
- Proposed Ground Floor Plan 03
- Existing and Proposed Elevations 05
- Block and Location Plan 06

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 materials and finishes of the external walls 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.

- 4 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).

- 5 **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.