

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

REF NO: A/86/22/HH

LOCATION: 5 The Cottrells
Angmering
BN16 4AF

PROPOSAL: Retention of a detached single storey garden office and store at the rear of the property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks permission for an existing rear outbuilding that is 3m in width, 5.1m in depth, 3m at peak height and 2.4m at eaves height.

REPRESENTATIONS

Angmering Parish Council - No Objection.

1 No. Objection from nearby occupier. Concerns regarding:

- Impaired access to side of outbuilding at No.4 for maintenance.
- Overshadowing.
- Overbearing.
- Imposing Design.
- Overlooking / Privacy.
- LED lighting.
- Precedent.

2 No. representations in support:

- High standard of design.
- Similar scale to nearby outbuildings.
- Materials matching locality.

OFFICERS COMMENTS:

Impaired access for maintenance - The proposed outbuilding meets the shared boundary. This concern is not a material planning consideration.

LED lighting - This is not a part of this application.

Precedent - This is not a planning concern that can be addressed by this application.

The scale, design, and impacts of overbearing, overshadowing, and overlooking are all addressed within the conclusions section below.

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)
DSP1	D SP1 Design

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

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**PRINCIPLE**

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 D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours, and the locality.

Policy D SP1 of the Arun Local Plan regards the design of new development and states that it should be informed by sustainable design and should reflect the characteristics of the existing site and the locality in which it is situated. These characteristics include layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details.

Policy HD4 of the Angmering Neighbourhood Development Plan (ANP) seeks to ensure that development requiring planning permission which, by virtue of their materials, are inharmonious with the area, are refused.

Policy HD5 of the Angmering Neighbourhood Development Plan (ANP) seeks to ensure new development is sympathetic to its surroundings including matching the character of its locality.

Arun has adopted a Design Guide which provides detailed guidance that helps to raise design standards across the district. Section M states that development should respond to the distinctiveness of their host dwelling and surroundings in terms of scale, massing, materials, and protect the amenities of occupants and neighbours.

DESIGN AND VISUAL AMENITY

The existing outbuilding is 3m in width, 5.1m in depth, 3m at peak height and 2.4m at eaves height. It is sited to the rear of the property meeting the side (West) site boundary. The outbuilding is moderate in scale and similar to neighbouring rear outbuildings throughout the terrace. The scale remains visually subservient to the host dwelling, both the scale and siting are acceptable.

The outbuilding features a dark grey cladding to the external elevations. While an imposing colour, outbuildings can consist of a variety of materials and colours. In this instance, the cladding is of a coloration and style that is harmonious with the large apartment building to the rear of the property and is therefore acceptable. Additionally, the host dwelling features cladding and so, it is a coherent material choice. Given the design and that the outbuilding is visible from the rear of the property alongside the rear apartment building, it is also in character with the locality.

The outbuilding is compliant with relevant Development Plan policies D SP1, D DM1(1)(14) & D DM4(a)(b) of the Arun Local Plan. It is also compliant with policies HD4 & HD5 of the ANP.

NEIGHBOURING RESIDENTIAL AMENITY

The outbuilding meets the West (side) site boundary and reaches a height of 3m and projects forward of the neighbouring outbuilding by approx. 1.4m. The shared site boundary is treated with a 1.8m high boundary fence.

While higher than the neighbouring outbuilding at No.4 The Cottrells by approx. 0.5m, this outbuilding does not give rise to any significantly adverse impacts of overbearing or overshadowing further than that which would be achieved by a Permitted Development (one that does not require planning permission) outbuilding with an eaves height of 2.5m. The adverse impacts of overbearing and overshadowing are also, not significantly greater than those which would be present if the 1.8m high boundary fence were to continue along the shared boundary.

The impacts of overbearing and overshadowing are not significantly adverse and not additional to that which would be imposed should the development only reach a height of 2.5m. these impacts are not grounds for refusal.

The outbuilding features 1 No. window to the South elevation that looks toward the rear of the host dwelling. Owed to this property being a terrace, the rear first floor elevation of No.4 the Cottrells is also in view. This window is at ground floor level and is a standard view that would be achievable when stood in the rear garden. This does not give rise to any adverse impacts by way of overlooking.

The development is compliant with relevant Development Plan policies D DM1(3) & D DM4(c) of the Arun Local Plan.

SUMMARY

The development is compliant with relevant Development Plan policies and Neighbourhood Plan policies. As such it 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

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:
 - Existing outbuilding (Draft: FD, Page 01).
 - Site Location & Block Plans (Submitted on 27/05/22).
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.