

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

REF NO: A/93/21/HH

LOCATION: 9 Horton Place
Angmering
BN16 4GL

PROPOSAL: Conversion of garage into garden room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The garage is to the east side of the house and mainly in the rear garden. The garage is too small for modern vehicles and has been out of use for some time; the proposal seeks to install a set of Aluminium Anthracite grey doors to the west side of the garage, in the garden area, and make use of the building as a garden room. Existing parking remains in front of the garage and within the road. The garage has a steep pitched roof and the west side of the garage is clad with feather edged board.

RELEVANT SITE HISTORY

A/52/21/CLP	Lawful development certificate for the proposed installation of set of bi-fold doors on side of existing garage to be used as garden room.	Refused 28-04-21
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REPRESENTATIONS

Angmering Parish Council - No objection.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
PD Restriction relating to retention of parking spaces

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

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD3	Parking Standards

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies HD4, and HD5 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 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 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 HD8 relates to parking in new developments and encourages all new developments to follow adopted parking standards.

Part M of Arun Design Guide refers to household extensions and requires them to respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials and openings.

PLANNING HISTORY

A/52/21/CLP established that whilst the external changes to the garage constituted permitted

development, the proposal required the submission of an application for full planning permission because Condition 4 of outline planning permission A/124/95 for the estate stated:

The buildings shall not be occupied until the parking spaces/turning facilities/and garages/s have been provided and constructed in accordance with details to be submitted. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

DESIGN AND VISUAL AMENITY

The development seeks to convert the garage in order to use this area as ground floor accommodation in the form of a garden room. The garage opening is retained with the front portion of the garage retained for storage. The installation of bifold doors would not appear out of keeping and would not be readily visible in accordance with policies HD4 and HD5 of Angmering Neighbourhood Development Plan and D DM1 of Arun Local Plan and Arun Design Guide.

As a result of this conversion 1 parking space would be lost, potentially requiring an additional car to be parked in the road. However, this is not considered to be reason alone for refusal of the application, as it has to be established that the proposal will result in harm to the host dwelling or its locality. There is space available in front of the garage for parking and the garage is currently not used for vehicle parking. The recently adopted parking standards require garage provision to be a minimum of 6m by 3m internally to count towards parking, but this existing garage does not meet this standard being 5m by 2.6m. This limited internal space may be a contributing factor to its lack of current use for vehicle parking. Although the proposal could result in an additional car parking space being required on road this would be within a private cul de sac and would not result in congestion or hazards for highway users given that there is no passing traffic. It also needs to be acknowledged that the garage is accepted as too small for car parking.

The proposal is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan, and Policies HD1, HD4, HD5 and HD6 of the Arun Local Plan. The loss of a garage parking space that is below the accepted size is not in conflict with policy TSP1 of Arun Local Plan or policy HD8 of Angmering Neighbourhood Plan since these are reliant on the parking space being of satisfactory internal size as set out in the guidance to count towards provision.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development will not result in any significantly harmful overbearing or overshadowing impact upon the occupiers of nearby dwellings. This is as a result of the conversion of an existing structure and its siting away from any neighbouring occupiers.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) 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

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:
Existing Plans 01
Proposed Plans 01
Block Plan
Location Plan

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.