

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

REF NO: CM/17/19/HH

LOCATION: 35 May Close
Horsemere Green
Climping
BN17 5TF

PROPOSAL: Single storey rear extension to replace existing conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace the existing conservatory with a single storey rear extension.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Outside built-up area boundary

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
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
SDSP2	SD SP2 Built-up Area Boundary

[Clymping Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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CONCLUSIONS

PRINCIPLE

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building within the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan (2011-2031) and CPN11 of the Climbing Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4).

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.

DESIGN AND VISUAL AMENITY

The proposed alterations are considered to be of a minor scale, and do not have any significant impact on the character of the host dwelling, or its locality. This is as a result of the previously stated minor scale, and the siting of the extension allowing few views of the extension to be available from the street scene. The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan, and CPN11 of the Climbing Neighbourhood Development Plan

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension is not considered to result in any significant impact upon the residential amenities of neighbouring dwellings. It is noted that as a result of the height and proximity of the proposed rear extension will cause overshadowing to the garden to the North, however, it is not significant enough to justify refusal of the application. This is due to the fallback position that it is likely that a similar extension could be built under permitted development, as excluding the rooflight, the proposed extension is only slightly larger than what could be built without formal planning consent. The proposed development is not considered to result in any significant loss of privacy to occupiers of neighbouring dwellings as a result of its single storey nature allowing all views available to be the same as those that can be achieved from the garden at current. The proposed development is not considered to result in any significantly harmful impact upon occupiers of neighbouring dwellings, and is therefore 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

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:

- Block Plan - 35 May Close, Climping
- Proposed Rear Extension - CP/MC/02 - Rev. A - March 2019

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.