

Recommendation Report for Planning Permission

REF NO: CM/24/22/PL

LOCATION: Plot 9 Scyld
Horsemere Green Lane
Climping
BN17 5QZ

PROPOSAL: Single storey side extension. This site is in CIL Zone 3 and is Zero Rated.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	This application seeks to construct a single storey side extension to allow the existing approved garage to serve as a double garage. The extension would be approx. 2.36m in width and a matching height and depth of approx. 2.7m and 6.65m respectively.
SITE AREA	588 sqm..
TOPOGRAPHY	Predominantly flat.
TREES	The approved landscaping plans (from application CM/10/22/DOC) which include 2 No. Acer trees to the South-West of Unit 9 will not be affected by the extension of the garage.
BOUNDARY TREATMENT	1.8m high boundary fence to the South and East elevations. The plot remains in construction and no boundary treatment is present at the North elevation however, it is to be a 1.8m timber boundary fence per the plans. The west elevation of the unit abuts the street.
SITE CHARACTERISTICS	Remains within construction but is to be a detached 2 storey dwelling with substantial rear and front amenity space. Elevations are to consist of Warnham Chartham face brickwork and Chalk coloured render with plain Clay roof tiling and white uPVC fenestrations.
CHARACTER OF LOCALITY	The site remains in construction but is to be 9 No. residential units of similar materials and scale but varying designs and architectural detailing.

RELEVANT SITE HISTORY		
CM/21/19/PL	Construction of 9 no. dwellings, access, landscaping and associated works.	ApproveConditionally 07-11-19

This application concerns Plot 9 of a recently approved planning application (CM/21/19/PL) for 9 No.

residential units. The site is currently under construction.

REPRESENTATIONS

Climping Parish Council - No Response.

1 No. objection from a nearby occupier:

- Closer to boundary results in loss of trees/planting that was proposed with the original proposal.
- Damage to property during construction due to proximity of foundations.
- Loss of privacy due to closer proximity.
- Proposed alternative orientation of double garage.

COMMENTS ON REPRESENTATIONS RECEIVED:

Trees - As noted within the Trees section to this report, the planting scheme for the site will not be affected by this application.

Damage - Structural damage to nearby properties because of works is not a material planning consideration.

Privacy - While closer in proximity to the shared boundary between No. 30 Apple Tree Walk, it is not such that it will cause unacceptable impact on neighbouring residential amenity.

Proposed alternative - This is not what has been applied for and cannot be considered.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Outside Built-Up Area Boundary.

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

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

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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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 is of a design which is in character with the host dwelling and its locality, whilst also not imposing any significantly adverse impacts of neighbouring residential amenity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Policy C SP1 states that 'Outside the Built-Up Area Boundaries (as identified on the ALP Proposals Plan) land will be defined as countryside and will be recognised for its intrinsic character and beauty.' It then sets out certain exceptions which could be permissible within countryside. This application is for an extension to an approved residential dwelling, and this is therefore, an acceptable exception as per C PS1 (f).

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 CPN 11 of the Climping Neighbourhood Development Plan (CMNP) relates to the quality of design of proposals and states that proposals must be of a high quality of design and protect and enhance local character as assessed by the Climping Character Assessment. This proposal will not compromise the established character of the area.

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. Section M also illustrates the '45-degree rules'. These rules refer to the 45-degree sightlines and light accessibility lines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight.

DESIGN AND VISUAL AMENITY

The scale of the garage extension is minor relative to the host dwelling. It would be approx. 2.36m in width and feature a matching height and depth to that of the existing garage at approx. 2.7m and 6.65m, respectively. It is to feature a flat roof design and materials consistent with those to be featured on the host dwelling and garage. The extension would remain visually subservient to and integrated with the host dwelling.

Given the siting of the proposed extension, it will be visible from the front but has a minimal impact on the street scene as it is to the end of the road and recessed from the front elevation of the dwelling. Its design is appropriate and would not have any adverse visual impact on the street scene. It remains in character with the locality and does not compromise the spatial character of the locality.

Section M of the Arun Design Guide states that side extensions should be, at minimum, set back from the front elevation by 1m at ground floor level, be below the existing ridge line by a minimum of 0.5m and have a frontage no greater than 70% of the existing dwelling. Owing to the scale and siting, this extension is compliant.

The proposal is compliant with relevant Development Plan policies D SP1, D DM1 (1)(14)(15) & D DM4(a)(b) of the Arun Local Plan. Additionally, it is also compliant with policy CPN11 of the CMNP and Section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed garage extension resulting in the garage coming to approx. 2m from the South side site boundary. This boundary is treated with an approx. 1.8m high boundary fence, which is then separated from the South neighbour dwelling by approx. 2.6m. Given the orientation of the South neighbour dwelling (No. 30 Apple Tree Walk), its rear elevation is closest to the side extension. The private amenity space that serves No. 30 Apple Tree Walk is to the West (side) and South (front) of the dwelling. Although the proposed side extension comes closer to the shared boundary, it remains separated from the No. 30 Apple Tree Walk by approx. 4.4m.

The separation distance, combined with the shared approx. 1.8m high boundary fence and low building height of the garage at approx. 2.7m. means the impact on neighbour is acceptable. Furthermore the proposed side extension would not intersect any 45- degree light accessibility lines from the rear of No. 30 Apple Tree Walk. Despite intersecting the 45- degree lines from the rear of No. 30 Apple Tree Walk, it is obstructed from view at ground floor level by the 1.8m high boundary treatment. The extension will have no significant adverse impacts by way of overbearing or overshadowing on neighbouring

properties, further than that which is present.

There are to be no new viewpoints as part of this extension and as such, it will give no rise to any adverse impacts by way of overlooking on any neighbouring properties.

There is to be a side access gate alongside the garage extension that would be within close proximity to the South side site boundary. It will not give rise to any significant adverse impacts by way of noise production.

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

SUMMARY

The proposal is compliant with relevant Development Plan policies, Neighbourhood Development Plan policies and additional design guidance 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

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:

- Site, Block & Location Plans (Dwg No. 300)
- Proposed Elevations (Dwg No. 304)
- Proposed Floor Plans (Dwg No. 302)

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: All relevant conditions not yet discharged within application ref: CM/21/19/PL, now also apply to the hereby approved side extension within this proposal.

- 4 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.