

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

REF NO: CM/5/22/HH

LOCATION: 28 May Close
Climping
BN17 5TF

PROPOSAL: Erection of first floor side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to erect a first floor side extension above the existing side garage. The proposal reaches a height of approx. 8.5m, meeting the rear and side building lines while being set approx. 1.2m behind the front building line.
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REPRESENTATIONS

Climping Parish Council - No Objection.

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Outside Built-Up Area Boundary (CSP 1)

2km Buffer for Site of Specific Scientific Interest

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[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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CONCLUSIONS

PRINCIPLE

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 (this development is in accordance with D DM1 & D DM4 and so is also in accordance with C SP1).

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

CPN 11 of the Climping Neighbourhood Development Plan 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.

DESIGN AND VISUAL AMENITY

The proposal seeks to erect a first floor side extension that sits above the existing garage making efficient use of the existing footprint of the dwelling by meeting but not exceeding the rear, side (north) or front building lines.

The proposal reaches a height of approx. 8.5m sitting approx. 0.1m below the peak of the host dwellings ridge line. Section M of the Arun Design Guide proposes that side extensions at the first floor should be set back by approx. 2m from the front elevation and a minimum of 0.5m below the ridge line. This proposal is set back approx. 1.2m from the front elevation and as such, this proposal does not comply with Section M of the Arun Design Guide in either of these cases. However, due to a well integrated visual design, moderate scale and many similar designs within the locality, the proposal is acceptable and is considered visually subservient to the host dwelling. Additionally, the materials proposed are matching to those found on the existing dwelling and within the locality. This extension would be a prominent change in the street scene however, there are many examples of similar first floor designs on the street and within the locality including the neighbour dwelling to the north (No. 29 May Close). Therefore, the proposal is in character with the locality and will not give rise to any significant adverse visual impacts on the street scene.

The proposal is compliant with relevant development plan policies D DM1 & D DM4 of the Arun Local Plan and CPN 11 of the Climping Neighbour Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal will almost mirror the southern elevation of the neighbour dwelling to the north (No.29 May Close) however, it is set back further by approx. 1.2m. Section M of the Arun Design Guide sets out the 45 degree rules when concerning amenity impacts. This proposal does not intersect rear 45 degree sightlines and due to the siting of the proposal, it is not considered to have any significantly adverse impacts by overshadowing despite intersecting the 45 degree light accessibility lines.

The proposal includes the installation of 2 No. windows, one to the front of the property and one to the rear. The new front window is on the first floor and looks out onto the street and gives no rise to adverse impacts by way of overlooking. The new rear window is on the first floor looking out to the rear garden. This rear window does not give rise to significant adverse impacts by way of overlooking.

By virtue of not being overbearing, overshadowing or overlooking on neighbour dwellings, the proposal is compliant with relevant development plan policies D DM1(3) & D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to comply 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

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 and Proposed Plans 28MC-FFSE
- Block Plan 28MC.BP

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 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.