

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

**REF NO:** CM/8/18/HH

**LOCATION:** 4 May Close  
Horsemere Green  
Climping  
BN17 5TF

**PROPOSAL:** First floor extension above garage & single storey extension

**SITE AND SURROUNDINGS**

|                            |                                                                                                                                                               |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The applications seeks to construct a first floor extension above the existing garage and to construct a single storey extension to the rear of the property. |
| SITE AREA                  | N/A                                                                                                                                                           |
| TOPOGRAPHY                 | Predominantly flat                                                                                                                                            |
| TREES                      | None of any significance affected by the proposed development.                                                                                                |
| BOUNDARY TREATMENT         | The front of the property is open plan whilst the rear and side boundaries consist of fencing around 1.8 metres in height.                                    |
| SITE CHARACTERISTICS       | The site is occupied by a two storey house with an attached garage to the southern elevation.                                                                 |
| CHARACTER OF LOCALITY      | The area is predominately residential with housing of similar styles and designs.                                                                             |

**RELEVANT SITE HISTORY**

None

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Climping Parish Council

Clymping Parish Council provided no objection to the works proposed.  
No representation from nearby occupiers.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted.

**CONSULTATIONS**

**CONSULTATION RESPONSES RECEIVED:**

None

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted

**POLICY CONTEXT**

Designation applicable to site:

Built up area boundary

A.S.C

**DEVELOPMENT PLAN POLICES**[Arun District Local Plan \(2003\):](#)

|       |                                              |
|-------|----------------------------------------------|
| GEN7  | The Form of New Development                  |
| DEV19 | Extensions to existing residential buildings |
| GEN2  | Built-up Area Boundary                       |

[Publication Version of the Local Plan \(October 2014\):](#)

|        |                                                |
|--------|------------------------------------------------|
| D DM1  | Aspects of Form and Design Quality             |
| SD SP2 | Built -Up Area Boundary                        |
| D SP1  | Design                                         |
| D DM4  | Extensions & Alterations to Existing Buildings |

[Clymping Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design**PLANNING POLICY GUIDANCE:**

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

**POLICY COMMENTARY**

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. The plan was subject to consultation until 23rd February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Clymping has a 'made' neighbourhood plan which has been a material consideration during the planning process. Policy CPN11 is relevant to the determination of this application.

### DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

#### PLANNING

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 would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

### OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

### CONCLUSIONS

#### PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are GEN7 and DEV19 of Arun District Local Plan, Policy CPN11 of the Clymping Neighbourhood Plan and the National Planning Policy Framework.

#### DESIGN AND VISUAL AMENITY

The application seeks to construct a single storey rear extension. This will not be visible from the street scene and due to its size and the materials used is considered subservient to the main dwelling.

The application also seeks to construct a first floor extension over the existing garage. This would be visible from the street scene however appears well integrated with the host dwelling and a sympathetic addition. The materials used would be similar to that of the existing property and that used in the surrounding area, specifically the neighbouring property's first floor extension and therefore is deemed in keeping with the area. The proposals are not considered to impact upon the spatial pattern or character of the area and accord with DEV19 and GEN7 of the Arun District Local Plan and Policy CPN11 of the Clymping Neighbourhood Plan.

#### NEIGHBOURHOOD RESIDENTIAL AMENITY

The single storey rear extension will have an eaves height of around 2.4 metres and a total height of about 3.5 metres with a mono pitch roof. There will be a set of doors and 1 window installed to the eastern elevation which will overlook the rear garden. Due to the boundary treatment and separation distance to the rear it is not considered to give rise to any harm to the amenity of adjoining occupiers due to loss of privacy or outlook.

The first floor extension is situated 1m from the southern boundary which retains the existing gap between the properties and is constructed to create a floor above the existing garage. The eaves height and roof height will match that of the host dwelling. The first floor extension adds 1 window to the front and to the rear of the property and 1 window to the southern elevation. The window proposed at the southern elevation is around 0.85m above ground and due to its location at the side of the property and with no windows on the neighbouring property it is not considered to give rise to any unacceptable overlooking.

The window to the front of the property will overlook the street scene whilst the window to the rear will obliquely view the southern neighbours rear garden (No.5). It will not view the house or into any principle rooms and as there are already existing rear windows and the view is angled there is not considered to be any unacceptable overlooking or overbearing. There is a separation distance of approximately 22m to the rear boundary and therefore the proposed development by virtue of a single storey rear extension and first floor extension is not considered to give rise to any unacceptable adverse overlooking, overshadowing or overbearing impacts upon the neighbouring residential amenity to the east and therefore in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

#### SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

|                         |
|-------------------------|
| <b>HUMAN RIGHTS ACT</b> |
|-------------------------|

#### FOR APPROVAL

##### 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
  - Location and Block Plan
  - Proposed floor plan
  - Proposed first floor plan
  - Existing first floor plan
  - Existing elevations
  - Existing and proposed roof plan
  - Existing ground floor plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy gen7of the Arun District 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.