

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

REF NO: R/80/26/HH

LOCATION: Willow Green
41 Angmering Lane
East Preston
BN16 2TA

PROPOSAL: Removal of existing garage and replacement with a new garage and front porch. Air source heat pump. Removal of existing conservatory and replacement with a new single storey rear extension. New garden room with pool and associated spaces.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/68/98	Erection of conservatory	ApproveConditionally 10-06-98
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REPRESENTATIONS

Rustington Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ENVIRONMENTAL HEALTH - No objection.

TREE OFFICER - No Objection subject to conditions.

I have considered this application by means of a desktop review, using the information and plans submitted as well as online resources.

The applicants have submitted an Arboricultural Impact Assessment (AIA) and Method Statement (AMS) with supporting Tree Protection Plan (TPP), for this project.

The arboricultural information submitted is of high quality, comprehensively addressing constraints to development and promoting effective tree protection measures.

The extent of root protection area (RPA) incursion affecting trees on the northern boundary, from

extension of the building footprint and introduction of new, are within recognised tolerance level or mitigated by special engineering measure (e.g. screw pile foundation). Risk of harm from above ground activity is mitigated by the use of temporary ground protection and robust fencing.

Specific details relating to the extent of site supervision and monitoring required to effectively deliver and maintain tree protection measures are found in Sections 1.6 & 1.7 of the aforementioned report.

I have concluded that the proposal allows for the successful retention of all higher value trees, provided there is adequate site supervision and monitoring by the individual with responsibility for all arboricultural matters on site. The overall arboricultural impact from this scheme of development is low and I therefore recommend the scheme for approval subject to conditions.

POLICY CONTEXT

Built-Up Area Boundary.

Within an area with potentially high ground water.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
ENVDM4	ENV DM4 Protection of trees
QEDM1	QE DM1 Noise Pollution

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing 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

DESIGN AND VISUAL AMENITY

The application site comprises a detached dwelling at Willow Green, 41 Angmering Lane. The site lies within Character Area 5 of the Rustington Neighbourhood Plan (RNP), and therefore the proposal will be assessed against Policy 2 of the RNP, alongside Arun Local Plan policies D DM1 and D DM4 and the Arun Design Guide (ADG).

The surrounding residential neighbourhood is characterised by large, detached dwellings, many of which have been extended or altered. This creates a varied street scene in terms of height, scale, form, and materials. In this context, the proposed works would not appear out of keeping with the established character of the area.

The existing garage would be replaced, and the front porch would be enlarged. The garage element would remain broadly comparable in footprint, with the width increasing by 0.4m to 10.6m and the depth remaining at approximately 6m. The porch would remain adjacent to the garage projection and would

increase in depth by 0.8m to approximately 3m. The replacement garage and porch would have a flat roof form, with an overall height of approximately 3.6m. The porch would include a glazed door with full-length side panels.

Part M of the ADG advises that front extensions should respect the street scene, avoid projecting beyond the predominant building line and remain visually subservient to the host dwelling. It also advises that front extensions should not normally exceed 1.5m in depth. The proposed would exceed this depth guidance; however, it would sit behind the existing front building line formed by the garage and would be set approximately 13.2m back from the front boundary. Furthermore, the proposed garage extension would replace the existing garage, and would not extend closer to the front boundary of the application site than the existing. Additionally, it is noted that the neighbouring dwelling to the south projects forward of the proposed porch position with a separation distance of approximately 12.9m. As a result, the porch and garage extension would not appear unduly prominent within the street scene or wider neighbourhood context.

Overall, the replacement garage and front porch would be visually subservient to the host dwelling and would not appear incongruous or prominent in the street scene. The works would preserve the varied residential character of the neighbourhood and would accord with Arun Local Plan policies D DM1 and D DM4, the ADG and Policy 2 of the RNP.

The proposed single-storey rear extension would partly replace the existing conservatory. It would have a maximum depth of approximately 6.1m, wrapping around the eastern flank of the dwelling by 1.6m in width, and a total width of approximately 19.95m. The extension would have a depth of approximately 4m beyond the main rear elevation of the host dwelling.

Although the depth of the extension would exceed the 3.3m guidance in Part M of the ADG, the site has a generous rear garden depth of 36.8m and sufficient separation from neighbouring properties. In this context, the scale and siting of the extension would be acceptable.

The single-storey rear extension would have a height of 3.4m and an eaves height of 3m. The rear elevation would include a centrally positioned four-panel bi-fold door flanked by a large double door either side. The flat roof would include four rooflights, which would comply with Part M of the ADG and would not give rise to unacceptable privacy impacts. The proposed single storey rear extension would be a subservient addition to the host dwelling and would not result in harm to visual amenity.

Several existing windows would be replaced to match the updated appearance of the dwelling. On the north elevation, a ground-floor window would be changed to a single glazed door. At first-floor level, the circular window would be removed and two existing windows would be replaced. On the east elevation, two first-floor windows would also be replaced, and other windows would be replaced to match. A rooflight on the front eastern roof plane would be removed. The proposed fenestration alterations are small in scale and whilst the design of the windows would be altered, given the existing variation within the street scene of Angmering Lane, the proposed fenestration alterations would not result in harm to visual amenity.

The proposed garden room would be located within the rear garden of the host dwelling. It would measure approximately 6.5m in depth and 9.8m in width, with pitched roof form and a ridge height of approximately 3.7m and an eaves height of approximately 2.4m. Fenestration would comprise a large double door on the east elevation and two three-panel bi-fold doors on the southern elevation. Given its domestic use, scale and rear garden position, the garden room would be viewed as an ancillary outbuilding and would not result in harm to visual amenity. It would be reasonable to secure its ancillary use by condition, given the scale of the outbuilding.

The proposed materials would be white render to the host dwelling and garden room, timber cladding to the overhang and wall return of the rear single storey extension, GRP flat roofs and grey uPVC fenestration and garage door. Whilst the external materials would differ from the existing, the proposed materials would not result in harm to visual amenity.

Solar panels do not form part of this application however, alterations to the roof with the removal of the chimney are noted and that the ridge height of the dwelling would remain unchanged at approximately 8m.

The proposed air source heat pump would be sited on the northern elevation, to the side of the garage. Owing to its position, it would not be readily visible from the street scene and would not materially affect the character or appearance of the neighbourhood.

Overall, the proposal would not result in harm to the character, appearance or visual amenity of the host dwelling, the street scene, or the wider area. It would therefore accord with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed replacement garage and new front porch would be set in approximately 5m from the southern boundary, 5.3m from the eastern side boundary and 3.85m from the western side boundary. Although the porch and garage extension would exceed the ADG depth guidance for front extensions, its single-storey form, modest height, and separation from neighbouring boundaries would prevent any overbearing or overshadowing impacts. The proposed front-facing fenestration would have an outlook of the host dwelling's front amenity and the highway and would not result in overlooking or loss of privacy to neighbouring properties.

The single-storey rear extension would be set in approximately 36.8m from the rear western boundary, 6.1m from the northern side boundary and 3.1m from the southern side boundary. The ground-floor fenestration would have an outlook of the host dwelling's rear amenity space, while the small side element would face towards the front amenity area. Given its height, scale, separation distances and relationship with existing boundary treatments, the extension would not result in overbearing, overshadowing, overlooking, or loss of privacy impacts to neighbouring properties.

The proposed replacement and alteration of windows would not result in unacceptable privacy impacts, subject to the use of obscure glazing were proposed at first-floor level on the northern flank elevation. It would be reasonable to attach a condition to secure neighbouring privacy given the relationship between the host dwelling and the neighbouring property to the north, to avoid unacceptable overlooking from occurring.

The proposed air source heat pump (ASHP) would be located approximately 4m from the northern side boundary. Given its siting, separation distance, and the absence of objection from Environmental Health, it would not result in unacceptable noise or disturbance impacts to neighbouring occupiers. The proposed ASHP is therefore in accordance with Arun Local Plan policy QE DM1.

The proposed garden room would be set in approximately 7.75m from the rear western boundary, 4.8m from the northern side boundary, 17.9m from the southern side boundary and 19.8m from the rear of the host dwelling. Given its single-storey scale, height, spacing maintained between the garden room and neighbouring properties and the existing boundary treatment, it would not appear overbearing or result in overshadowing to neighbouring amenity. The fenestration within the garden room would face towards the host dwelling's rear garden and would not result in overlooking or loss of privacy to neighbouring properties. Given its size and position of the garden room, it would be reasonable to secure its ancillary use by condition.

Overall, the proposed development would not harm neighbouring residential amenity through overbearing impact, overshadowing, overlooking, loss of privacy, noise, or disturbance. The proposed development is in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

TREES

The Tree Officer was consulted and reviewed the Arboricultural Impact Assessment and Method Statement prepared by Arbortrack Systems Ltd, dated 7 May 2026, submitted with the application. It is noted that there are no Tree Preservation Orders affecting the site, and it is not located within a conservation area. However, the site contains a number of mature trees that could potentially be affected by the development.

The Tree Officer raised no objection and was satisfied that all high value trees can be successfully retained, subject to conditions to secure the appropriate site supervision and arboricultural monitoring during construction. The overall impact on the site's trees is therefore considered low. As such, the proposed development is in accordance with Arun Local Plan policy ENV DM4.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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:

- Location Plan Drwg No. P001 Rev P2.
- Proposed Block Plan Drwg No. P002 Rev P3.
- Proposed Ground Floor Plan Drwg No. P008 Rev P1.
- Proposed First Floor Plan Drwg No. P009 Rev P1.
- Proposed Roof Plan Drwg No. P010 Rev P1.
- Proposed Elevations - South and East Drwg No. P011 Rev P1.
- Proposed Elevations - North and West Drwg No. P012 Rev P1.
- Proposed Pool Room Drwg No. P014 Rev P2.
- Proposed Pool Room Roof Plan Drwg No. P015 Rev P4.
- Pool Room - Proposed Elevations Drwg No. P016 Rev P2.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 No development/demolition/levels changes (apart from any survey works required by other conditions) shall take place and no heavy plant shall be introduced to the site, unless and until all protective fencing and ground protection has been erected and positioned exactly as described and illustrated in Appendix: A - Tree Protection Plan, Arbortrack Systems Ltd. May 2026. The protective measures shall remain in situ throughout the construction works.

Reasons: To comply with BS5837:2012 and ensure the retention of trees which are an important feature of the area, in accordance with Arun Local Plan policies D DM1 and ENV DM4. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 4 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment and Method Statement, Arbortrack Systems Ltd. Ref: jwmb/rpt1/41angmeringlane/AIAAMS, 7 May 2026.

Reasons: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area, in accordance with Arun Local Plan policies D DM1 and ENV DM4.

- 5 All of the windows at or above first floor level in the northern flank elevation of the building shall at all times be and remain glazed entirely with obscure glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard. This arrangement shall be retained permanently thereafter.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with Arun Local Plan policies D DM1 and D DM4.

- 6 The proposed garden room hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Willow Green, 41 Angmering Lane as a garden/pool room and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 7 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 8 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.