

PLANNING APPLICATION REPORT

**REF NO:** A/130/21/PL

**LOCATION:** 16 Pine Trees Close  
Angmering  
BN16 4LT

**PROPOSAL:** Demolition of existing garage, conversion of extension (approved under A/66/21/HH) to 1 No. 2 bed dwelling, provision of 4 parking spaces and cycle/refuse storage. This application is within CIL Zone 2 and is CIL liable as new dwelling.

<b>SITE AND SURROUNDINGS</b>
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<b>DESCRIPTION OF APPLICATION</b>	This planning application is for the the sub-division of the plot to create an additional new dwelling house. A single storey pitched roof extension measuring approximately 7.3m in width to the full depth of existing property (which was approved under A/66/21/HH) is proposed to be converted into a new 2 bed dwelling following the demolition of the detached garage; together with the provision of 4 parking spaces (2 spaces to serve the existing dwelling and 2 spaces to serve the new dwelling), and the provision of cycle parking and a bin store for the new dwelling.
<b>SITE AREA</b>	0.50 hectares.
<b>TOPOGRAPHY</b>	Predominantly flat.
<b>TREES</b>	None of any significance affected by the proposed development; but there are a number of ornamental trees in the side and rear garden.
<b>BOUNDARY TREATMENT</b>	Site boundaries consist of 1.8 metre high close boarded fencing to the north and east; a garden fence separates the rear garden of No. 16 Pine Trees Close with the adjoining bungalow to the west; and to the south a hard-standing at the front of the dwelling opens out onto a shared driveway with the adjoining bungalow.
<b>SITE CHARACTERISTICS</b>	The site comprises a single storey semi-detached bungalow with a detached garage and vehicular access onto Pine Trees Close. The existing bungalow has a large garden to the side and rear.
<b>CHARACTER OF LOCALITY</b>	The site is located at the end of a hammer head on Pine Trees Close on the northern of the settlement of Angmering. The site is bounded to the north by the St Margaret's CE Primary School playing field; and to the south and west by bungalows which front onto Pine Trees Close. There is a public right of way (PRoW) in between the application site and the neighbouring house to the east.

## RELEVANT SITE HISTORY

A/66/21/HH                      Erection of single storey side extension and provision of 2 parking spaces following demolition of existing garage.      ApproveConditionally 04-06-21

Planning permission (A/66/21/HH) for the erection of a single storey side extension and provision of 2 parking spaces following the demolition of existing garage has not been implemented.

## REPRESENTATIONS

ANGMERING PARISH COUNCIL:

Object. The previous application (A/66/21/HH) was for an extension to the existing bungalow. The proposal is for a totally separate dwelling which is over-development.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Planning related comments noted and addressed in the 'Conclusions' section below.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

ADC DRAINAGE:

No objection. Due to the scale, location and type of application ADC Drainage have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

### COMMENTS ON CONSULTATION RESPONSES:

Planning related comments noted and addressed in the 'Conclusions' section below.

## POLICY CONTEXT

Designation applicable to site:

Within the Built-Up Area Boundary in the Arun Local Plan and in the Angmering Neighbourhood Plan.

### 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
ECCSP1	ECC SP1 Adapting to Climate Change
QEDM3	QE DM3 Air Pollution
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

TSP1 T SP1 Transport and Development

[Angmering Neighbourhood Plan 2014 POLICY HD1](#) Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

**PLANNING POLICY GUIDANCE:**

NPPDG National Design Guide

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

**SUPPLEMENTARY POLICY GUIDANCE:**

SPD11 Arun Parking Standards 2020

SPD13 Arun District Design Guide (SPD) January 2021

**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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.

Relevant Angmering Neighbourhood Plan (NP) policies have been taken account of and are addressed in the Conclusions section of this report. The Angmering NP was made on 11th March 2015.

**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."

Section 70(2) of TCPA 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, 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.

The proposed residential development, which is located within the built-up area boundary (the BUAB) complies with relevant policies in the Development Plan.

**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 principle of developing a single storey extension, measuring 7.3 metres long, onto the existing semi-detached bungalow was established when permission was granted (A/66/21/HH) on 4th June 2021 together with the provision of 2 car parking spaces following the demolition of the detached garage.

The key policy consideration in the determination of A/130/21/PL is Policy D DM4 of the Arun Local Plan (2011-2031) which deal with extensions and alterations to existing buildings (residential and non-residential).

### DESIGN AND APPEARANCE

The Arun Design Guide, January 2021, requires all types of infill development to respond positively to the character, appearance and layout of surrounding buildings. It is the prevailing character of surrounding buildings and spaces which are expected to inform an appropriate infill design response. Infill developments must strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context (Chapter P 'Infill Development' of the Design Guide).

The proposed development is almost identical to A/66/21/HH, apart from the sub-division of the plot to create a new dwelling house. Externally, the single storey pitched roof side extension to 16 Pine Trees Close would mirror the previously approved scheme.

The single storey extension to the side of the semi-detached bungalow would create a new dwelling house which would consist of 2 bedrooms, a lounge, a kitchen/diner and a bathroom. The front door would be positioned to the side of the dwelling and the sub-division of the plot would not affect the appearance of the dwellings when viewed from Pine Close. The extension has been sympathetically designed, with an eaves height and ridge-line which run through to existing levels and therefore its scale and style is appropriate for its intended use. The extension would be visible from the street, however, it does not have a direct street frontage and has the effect of disappearing into the side garden of the host dwelling. Additionally, it maintains the building lines of the existing dwelling and is subservient to the existing dwelling. It is proposed to increase the size of the property by nearly 100% of the existing dwelling. Current guidance in the Local Plan and Arun Design Guide states that extensions over 50% increase of floor space would be considered disproportionate and are unlikely to be acceptable, although it is noted that this property has the benefit of a slightly larger rear/side garden, a single garage is to be demolished and as the site is located at the head of Pine Trees Close with no direct neighbours and in this instance this is not a reason to refuse the application. Given the above and the good visual integration through appropriate material and style choice the single storey pitched roof extension is acceptable.

The design and appearance of the single storey side extension complies with Policy D DM4 and Policy D SP1 of the Local Plan, Policy HD4 and Policy HD5 of the Angmering NP, the NPPF and the Arun Design Guide.

### SCALE AND BUILDING HEIGHTS

The dwelling types in the vicinity of the site on Pine Trees Close are single storey semi-detached and detached bungalows. The single storey extension would fit in with the scale of the buildings in this part of Angmering. The scale and height of the single storey extension would be in scale with the surrounding area. The development complies with Policy D DM1 and Policy D SP1 of the Local Plan and Policy HD5 of the Angmering NP in terms of the scale and building heights.

#### NEIGHBOURING RESIDENTIAL AMENITY

In terms of overbearing and overshadowing, the single storey extension should not affect neighbouring properties. Further to development there will still be a good-sized rear and side garden maintained and an appropriate space about the building when compared to neighbouring properties. The site is located at the end of a hammer head and the development will occur at the furthest point from any of the neighbours on Pine Trees Close heading in an easterly direction. There is a public right of way (PRoW) in between the site and the neighbouring house to the east. To the north is a school playing field. As such, even with the addition of this substantial single storey extension, any overshadowing would affect the application site only. The proposal has introduced ground floor front and back facing windows only, therefore, no views which could cause a loss of privacy to adjoining properties would be created. As the single storey extension is built flush with the existing rear wall the 45-degree rule is not relevant in this instance. By virtue of not being overbearing, overshadowing and overlooking the proposed single storey extension accords with Policy D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

Bearing in mind the built environment in the vicinity of the site and the design and appearance of single storey extension, it is necessary to impose a condition restricting permitted development rights. The removal of the permitted development rights by way of condition would ensure that the privacy and amenity of adjoining residents is safeguarded; and safeguard the cohesive appearance of the development, which is visually attractive. Subject to a condition restricting permitted development rights the proposed development is acceptable in respect of residential amenity, in accordance with Policy D DM1(3) and Policy D DM4 of the Local Plan in seeking to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

#### EXTERNAL SPACE STANDARDS

The Block Plan (Drawing No. 1485-01) shows the single storey extension with a rear garden orientated north/south that would measure in excess of 10.5 metres in length. The Arun Design Guide specifies that dwellings must have adequate private or share amenity space and provides a figure of 10.5 metres in length. The development complies with Policy D DM1(3) of the Local Plan and the Arun Design Guide in terms of the provision of sufficient private amenity space for the new bungalow.

#### INTERNAL SPACE STANDARDS

The floor plan of the single storey extension where it specifies the number of bedrooms and the square metres of floor space has been cross referenced with the Nationally Described Standard table (NDSS Table 1). The minimum gross internal floor area of the single storey extension complies with Policy D DM2 of the Local Plan and meets the NDSS requirements.

#### ACCESS

The existing driveway access serving 16 Pine Trees Close would be retained and it would also be used to access the proposed single storey extension. Consequently, there would be no highway safety issues and the proposed development would comply with Policy T SP1 of the Local Plan.

#### PARKING

The single storey extension would have 2 car parking spaces, one on-plot facing the front elevation and the second on the site of the garage which is proposed to be demolished. The provision of 2 car parking spaces is in compliance with the ADC Parking Standards SPD, January 2020 and in accordance with Policy HD8 of the Angmering NP. The existing semi-detached bungalow would be provided with 2 on-plot parking spaces located on the existing hard-standing. A total of 4 parking spaces are to be provided to serve the proposed development in compliance with the Parking Standards SPD. There is sufficient space for vehicles to turn in the site and exit in a forward gear without reversing onto the highway. Cycle parking would be provided in a garden shed in the rear garden, in compliance with Policy T DM1 of the Local Plan and the ADC Parking Standards SPD.

#### **LANDSCAPING**

The existing side and rear garden at 16 Pine Trees Close includes ornamental trees and shrubs and a well maintained lawn. The proposed single storey extension would occupy part of the existing side and rear garden and it is appropriate to impose a condition for the submission of a landscaping scheme to ensure that compensatory numbers of trees and shrubs are planted in the garden. Subject to a landscaping condition, the proposed development is acceptable and would comply with Policy D DM1 of the Local Plan and the Arun Design Guide.

#### **DRAINAGE**

The site is located in Flood Zone 1. Surface water drainage for the existing dwelling would remain connected into the existing surface water drainage system already serving the site. Surface water from the roof of the single storey extension would be dispersed into a soakaway into the rear garden. Foul drainage would be connected to the existing main sewer system. ADC Drainage Engineers are satisfied with the proposed development. The proposed development is acceptable and it complies with Policy W DM2 and Policy W DM3 of the Local Plan.

#### **CLIMATE CHANGE**

It is appropriate that provision is made for an electric vehicle charging point to serve the 2 new parking spaces to accord with paragraph 2.8 of the ADC Parking Standards SPD, January 2021. This should be conditioned. Subject to a condition requiring the provision of an electric vehicle charging point, the development complies with Policy ECC SP1 of the Local Plan in terms of mitigating climate change and Policy QE DM3 in terms of reducing air pollution.

#### **SUMMARY**

The proposed development of a single storey extension on a 0.50 hectare site within the BUAB of Angmering is acceptable, in accordance with the policies in the Arun Local Plan, the Angmering Neighbourhood Plan, the NPPF and the Arun Design Guide.

#### **RECOMMENDATION**

It is recommended that this application is approved and the following conditions be imposed.

#### **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 CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

**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 and submitted documents:

- Drawing No. 1485-01 - Site Location and Block Plan.
- Drawing No. 1485-04 - Proposed Floor Plan and Roof Plan.
- Drawing No. 1485-05 - Proposed Elevations.
  
- Planning, Transport, Design and Access Statement, June 2021.
- Foul Sewage & Utilities Statement, July 2021 (Ref. FS20/16PA Rev. 2)

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 No construction activities shall take place, other than between the hours of 08:00 - 18:00 hours Monday to Friday, 08:00 - 13:00 Saturday and no working activities at any time on Sundays, and bank and public holidays.

Reason: In the interests of amenity in accordance with Policy D DM1 of the Arun Local Plan.

4 The new dwelling hereby approved shall not be occupied until the car parking spaces serving the new dwelling and the car parking spaces serving the existing dwelling at Number 16 Pine Trees Close have been constructed in accordance with the approved site plan. Once provided, the parking spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy D DM1 of the Arun Local Plan and Policy HD8 of the Angmering Neighbourhood Plan.

5 The new dwelling hereby approved shall not be occupied until covered and secure cycle parking spaces serving the new dwelling have been provided in accordance with the approved layout plan.

Reason: To provide alternative options to the use of the car in accordance with Policy D DM1 of the Arun Local Plan.

- 6 Provision should be made for the installation of a Electric Vehicle (EV) Charging Point serving the new dwelling. The EV charging point shall be installed prior to occupation of the new dwelling and thereafter will be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017), the ADC Parking Standards SPD (January 2020) and the National Planning Policy Framework (2021).

- 7 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the new dwelling shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining residents, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy D DM1 of the Arun District Local Plan.

- 8 No development above damp proof course (DPC) level shall take place until details of the landscaping have been submitted for approval in writing by the Local Planning Authority. The landscaping details should include a planting plan and specification detailing species choice, actual plant quantities, planting densities and size at time of planting. The approved landscaping details shall be installed prior to occupation of the new dwelling and thereafter will be permanently retained and maintained.

Reason: In the interests of residential amenity and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan and the Arun Design Guide.

- 9 **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.

<b>BACKGROUND PAPERS</b>
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[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)



**A/130/21/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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