

Recommendation Report for Planning Permission

REF NO: EP/100/18/PL

LOCATION: 6 Langmeads Close
East Preston
BN16 3FF

PROPOSAL: Conservatory to rear elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a rear conservatory.
SITE AREA	Approximately 169m ² .
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is open plan to its front elevation, with 1.8m close board fencing to the rear.
SITE CHARACTERISTICS	The site is populated by a detached two storey dwelling.
CHARACTER OF LOCALITY	The area is populated by a mixture of housing styles and types. Although Langmeads Close itself is populated by dwellings very similar in style.

RELEVANT SITE HISTORY

EP/135/12/	Demolition of 2 existing dwellings and the erection of 7 No 3 bedroom houses and 5 No 2 bedroom flats/maisonettes with associated landscaping and parking (resubmission following EP/69/12/)	App Cond with S106 10-04-13
EP/69/12/	Demolition of 2 existing dwellings and the erection of 2 No 2 bedroom houses, 7 No 3 bedroom houses and 5 No flats/maisonettes with associated landscaping and parking	Withdrawn 04-10-12
EP/85/96	Ground floor single storey bedrooms extension	ApproveConditionally 17-02-97

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

Parish Council - No objection.

2 letters of objection from adjacent occupiers:

- The plans on the submission are not to scale.
- The proposed development is disproportionate to anything else in the surrounding houses.
- The height of the conservatory will impact upon the lighting of the adjacent properties.
- The proposed windows would allow views into the adjacent property to the North.
- The objector has spoken to the applicant who supposedly stated they would be happy to built the North elevation entirely out of brick up the roof height with no windows or openings.

COMMENTS ON REPRESENTATIONS RECEIVED:

The majority of the representations will be addressed in the conclusions section.

The plans on the submission show measurements of which state (in m) the length of aspects on the development. Additionally, the proposed development will be assessed as it appears in the application forms and submitted plans.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Permitted Development Restriction

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

[East Preston Neighbourhood Plan 2014 Policy 1](#) Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 4 Design in Character Area Three

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 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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.

The East Preston Neighbourhood Plan has been made and the relevant policies (1 & 4) are considered in the determination of this application.

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 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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 & 4 of the East Preston Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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.

The permitted development restriction imposed on application EP/135/12/ that relates to no extensions to the dwelling houses being erected without planning permission from the Local Planning Authority.

DESIGN AND VISUAL AMENITY

By virtue of its location at the rear of the host dwelling, the proposed extension is not visible from the street scene and therefore does not give rise to any unacceptably adverse impact on the character of the locality of the established spatial pattern of the area.

The proposals highest point sits significantly lower than the ridge height of the host dwelling. Resultant of this, and the light construction of the conservatory, the proposal is considered to appear visually subservient to the host dwelling, and sympathetic to its existing character.

The application site borders Langmead Recreation Ground, and therefore consideration as to the proposals impact on this open space. The impact is considered to be limited, resultant of intervening fencing allowing only high level views of the conservatory. The roof is predominantly glass, and as such, the prominence it can hold in any views of the host dwelling from the Recreation Ground it can hold is extremely limited.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development projects 3.1m from the rear wall of the host dwelling, however, it is not considered to have any significantly harmful impact on neighbouring residential amenity by way of unacceptable overbearing, or overshadowing impact. The Northern elevation of the extension is brick built up to 1.86m, above this, the materials are predominantly glass, therefore, there is not considered to be any significantly harmful impact on loss of light to the neighbour to the North.

The proposed development is deemed to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

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

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.

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:

- BLOCK PLAN - #00332742-D645BC - 24th of June 2018
- FLOOR PLANS
- NORTH ELEVATIONS
- SOUTH ELEVATIONS
- EAST ELEVATIONS

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:** 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.