

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

REF NO: EP/103/13/

LOCATION: Spindrift
South Strand
East Preston Littlehampton

PROPOSAL: Replacement garage and games room and new cladding to part of house

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The replacement building will be positioned in the same corner of the site as the existing garage. The building proposed measures 12.76 metres in length by 5.7 metres in width and approximately 4.3 metres to roof ridge height. There is also a further 1.8 by 1.8 metre projection which will be positioned on the southern elevation of the building. The main dwelling will be re-clad on the entire southern and western elevations, and part of the eastern elevation, with faux timber weatherboarding.
SITE AREA	Approximately 1365 square metres.
TOPOGRAPHY	The site slopes slightly upward to the front before levelling off and then sloping gently downwards towards the beach.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Other than an opening for vehicular access, the site is enclosed by an approximately 2 metre high brick and render wall.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling, that has painted render elevations with brick quoins. The roof is tiled and hipped. There is a detached hipped roof garage building located in the north-western corner of the site.
CHARACTER OF LOCALITY	The site is located at the end of a shared driveway that branches off from a residential road. Surrounding development is of a fairly high density and consists of residential dwellings of a variety of designs and scales, with larger buildings housing flats in some cases. The majority of plots on the southern side of the road back onto the beach. There is a caravan park directly to the west of the site.

RELEVANT SITE HISTORY

EP/104/03/	Loft extension to form chalet style house	Refused 10-11-2003
------------	---	-----------------------

EP/146/03/

Side extension

ApproveConditionally

13-02-2004

REPRESENTATIONS

Representations received:

East Preston Parish Council

No objections.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)
[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

EPDS

East Preston Village Design Statement

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making

process.

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

The proposed garage building will be positioned towards the rear of the site which is itself set back from the main street frontage and will therefore have no significant impact upon the character and appearance of the street scene due to screening provided by neighbouring buildings. The roof of the building may be seen from the beach but it will be positioned amongst an established high density concentration of residential buildings and views will also be distant. It is therefore considered that the proposed building will not result in any unacceptable adverse impact upon the character and appearance of the surrounding area.

It is considered that the proposed building will appear visually integrated within the site as its hipped roof design will compliment the appearance of the main dwelling. In addition, the building is of modest proportions in relation to the main dwelling and will therefore maintain visual subservience towards it, ensuring that the site is not over dominated by the new building.

It is noted that the new building will be positioned adjacent to the northern site boundary, as is the case with the existing garage and is of a similar height, although the northern elevation of the replacement building will extend further along the boundary due to its increased length. It is appreciated that this increased length will result in an increased visual impact upon Ramblers Cottage, the neighbouring property to the north. However, the elevation wall of the building is of a modest height, and is also not significantly higher than the existing boundary wall and hedging that borders the site whilst the roof slope pitches away from the boundary, softening its impact. Following these observations, it is concluded that the building will not appear overbearing towards Ramblers Cottage or lead to undue levels of overshadowing. Views from ground floor windows towards neighbouring residential sites will be interrupted by existing site boundary treatment, safeguarding privacy. Roof lights within the southern and western roof slopes will face towards the roof slope of the existing dwelling and the caravan park respectively. As they are angled upwards and will be installed at a high level above the floor, it is not considered that invasive views will be enabled.

It is therefore recommended that the application is approved, 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 for 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 it has been determined that its approval would not result in any negative impacts 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).

As such, no specific mitigation measures are required.

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:-

1474;
1474/01/01;
1474/01/02;
1474/01/03;
1474/01/04;
1474/01/05;
1474/01/07;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.