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

REF NO: **EP/106/12/**

LOCATION: 98 Sea Road
East Preston
Littlehampton

PROPOSAL: Porch and first floor extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks permission for the conversion of the existing garage, with an extension forward of the dwelling to form a porch and W.C. The first floor addition would provide a pitched roof dormer extension.
SITE AREA	Approximately 290 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGROPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Close borard timber fencing with brick piers to front boundary to a height of 1 metre. Mature hedging and fencing enclosing side and rear boundaries.
SITE CHARACTERISTICS	Detached two storey property, red brick, render and timber detailing. Hipped red tiled roof with cat-slide to north elevation and gable dormer incorporated within the roof slope. Integral garage to be converted.
CHARACTER OF LOCALITY	Residential, street characterised by traditional dwellings. Village green opposite the site.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

East Preston Parish Council

Objection; the committee feels that the front extension will not be in keeping with the street scene and will interrupt the rhythm of this set of houses. This would be contrary to Arun Local Plan Policy GEN7.

1 letter of objection:
The proposed new porch on the front of this house would have an unacceptable detrimental impact on the street scene. This house and its neighbours form an attractive line of near-similar houses in a prominent position, opposite the village green. Number 98, along with

numbers 96 and 94, are almost identical and their facades form a straight line. Adding a large and solid porch to 98 would destroy the symmetry of the present composition and have a severely harmful effect on the appearance of this group of houses. The addition of the porch would therefore contravene policy GEN7 (ii) and policy DEV19 (i) and (v). We trust that permission will be refused.

Comments on Representations received:

Comments noted and agreed.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the built-up area boundary
Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

EPDS	East Preston Village Design Statement by E P Parish Council

POLICY COMMENTARY

PLANNING
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 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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

The addition to the roof in the form of a gable dormer extension is considered to be acceptable visually and in-keeping with the appearance of the property. This coupled with a window only being provided to the rear elevation means that the roof addition is acceptable from a visual and residential amenity point of view.

The proposed front extension however is of concern, by reason of its design and siting. The materials posed, fenestration and pitched roof in no ways reflects the character of the dwelling and obscures its traditional in-set porch and elevational features. The resultant extension therefore fails to respect the character and features of the dwelling; appearing as an unsympathetic and incongruous addition to the principal elevation of the dwelling. The outcome of this would be detrimental to the traditional character and appearance of the dwelling as well as the wider street scene.

It is therefore recommended that the application be refused for the following reason.

HUMAN RIGHTS ACT

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),

Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 a neutral impact has 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).

RECOMMENDATION

REFUSE

1 The proposed front extension by reason of its design and scale fails to respect the character or appear visually integrated with the existing dwelling, detrimental to the appearance of the dwelling and the established street scene. The proposal is therefore contrary to policies DEV19 and GEN7 of the Arun District Local Plan; advice from Central Government contained within paragraphs 56 and 57 of the National Planning Policy Framework (NPPF) which encourages good design and the East Preston Village Design Statement.