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

REF NO: EP/108/24/HH

LOCATION: 5 Vicarage Lane
East Preston
BN16 2SP

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

East Preston Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Prone to groundwater flooding.

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)

East Preston Neighbourhood Plan 2014 Policy 1 Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 2 Design in Character Area One

PLANNING POLICY GUIDANCE:

	NPPF	National Planning Policy Framework
	NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

	EPDS	East Preston Village Design Statement
	SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is a two storey detached dwelling with an existing single storey double garage adjoining the

western flank of the host dwelling. The proposed single storey rear extension would have a width of 9.5m and a depth of 3.7m. The extension would have a pitched roof form with a maximum height of 4m and an eaves height of 2.4m. Fenestration is proposed within the rear and both flank elevations of the extension, and rooflights are proposed within the pitched roof.

The proposal would not strictly accord with Part M of the Arun Design Guide (ADG) which states that in detached houses, single storey rear extensions should not extend more than 3.3m from the rear elevation of the original dwelling. The extension would have a depth of 3.7m, thus would exceed the guidance outlined at Part M of ADG in this regard. However, the extension would be of a depth that could be constructed under permitted development. In addition, a resultant garden depth in excess of 17m would be retained.

The proposed materials are to comprise brickwork to the elevations and interlocking roof tiles to match the existing dwelling.

In design and visual amenity terms, the overall proposal is in accordance with relevant Development Plan policies D DM1 & D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY
Part M of the ADG states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The extension would set in 5m from the western flank boundary, and 1m from the eastern flank boundary. As such, given the spacing retained between the proposed extension and neighbouring properties, the extension would not result in overshadowing to neighbouring properties.

The proposal includes fenestration within the rear elevation of the extension. The fenestration would have an outlook of the rear garden serving the host dwelling and would not result in any overlooking. The flank fenestration would be set in from the flank boundaries, and given the existing close boarded fencing along the side boundaries of the application site, this fenestration would not result in unacceptable overlooking. Rooflights are proposed within the pitched roof of the single storey rear extension. Given the siting of the rooflights, the rooflights would not result in any overlooking.

The proposal would not result in unacceptable overlooking, overbearing, or overshadowing of neighbouring properties, and is in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

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

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 liable, therefore, developer contributions towards infrastructure will be required (dependent 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:

- Location Plan.
- Block Plan.
- Proposed Ground Floor Plan EP/VL/03.
- Proposed Elevations EP/VL/05.

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 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).

4 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 National Planning Policy Framework.