

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

REF NO: EP/121/20/HH

LOCATION: 49 Manor Road
East Preston
BN16 1QA

PROPOSAL: First floor extension over existing garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Parish Council

Objection:

- Overshadowing and overbearing impact on No. 51.
- Conflicts with D DM1 and D DM4 of the Arun Local Plan
- Conflicts with Policies 1 and 2 of the East Preston Neighbourhood Plan

East Preston and Kingston Preservation Society:

- Contradicts D DM1 and D DM4 of the Arun Local Plan
- Contravenes Policy 1 of the East Preston Neighbourhood Plan
- Significant impact on the street scene and amenities of the neighbouring properties.
- Oppressive and Overshadowing

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

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

[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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 and 2 of the East Preston Neighbourhood Development 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.

Policy 1 of the East Preston Neighbourhood Development Plan sets out general principles for development within the Parish. Part (i) relates to the scale, density, massing, height, landscape design, layout and materials of development proposals, and how proposals must reflect and enhance the established character of the area.

Policy 2 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals within Character Area One. These are to preserve the street scene and avoid any increases in density that would be harmful to the character of the area and to protect the view from the beach.

DESIGN AND VISUAL AMENITY

The application seeks to construct an extension to the south on the top of the garage to incorporate a living room at the first floor next to the bedrooms at the first floor.

The property has a garage to the front elevation and this will be extended to a height of 6.7m allowing a first floor to be added which will run alongside the eastern boundary with a depth of 8.15m. The proposed development will have an external staircase to the west (the submitted plan wrongly shows it as being on the east elevation) of the first floor addition.

As a result of the size and its siting, the proposal adds significant bulk to the front elevation of the property which will be highly visible from the street scene. Whilst the property is set back from the road, the proposal is still deemed to appear a dominant addition to the street scene.

The surrounding area is mixed in design and style. However, the application property and its neighbour to the west are, with the exception of the garage at the application property and single storey front addition at the neighbouring property, similar in appearance. With the substantial bulk added at the front the application property it will appear out of character with the prevailing street scene in conflict with policies D DM1 and D DM4 (e) of the Arun Local Plan and policies 1 & 2 of the East Preston Neighbourhood Plan.

RESIDENTIAL AMENITY

The extension to the top of the garage will have a gable roof and will abutt the side boundary.

Given the significant extent of the extension and its close proximity to the neighbouring property to the west, a bungalow, there will be oppressive and overbearing effects on their residential amenity/outlook. However, there will be no unacceptable overlooking from the extension given the absence of any windows on the proposed elevations.

As a result there is conflict with policies D DM1 (3) and D DM4 (c) of the Arun Local Plan.

SUMMARY

The proposed development is in conflict with relevant development plan policies and as such is recommended for refusal.

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 not CIL Liable.

RECOMMENDATION

REFUSE

- 1 The proposed extension by virtue of its scale and location will have an unacceptable impact upon the character and appearance of the immediate locality and residential amenities of the occupiers of 51 Manor Road in conflict with policies D DM1 and D DM4 of the Arun Local Plan and policies 1 and 2 of the East Preston Neighbourhood Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and

is also willing to provide pre-application advice in respect of any future application for a revised development.