

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

REF NO: EP/122/21/HH

LOCATION: 36 Old Worthing Road
East Preston
BN16 1DZ

PROPOSAL: Erection of single storey side/rear extension following demolition of existing rear conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Erection of single storey side/rear extension following demolition of existing rear conservatory. Rear extension is proposed to extend 5.3m back from the rear of the dwelling and 1.5m out from the side of the dwelling.

RELEVANT SITE HISTORY

EP/99/21/PDH	Notification under extended permitted development rights for a single storey rear extension measuring 6m from beyond the rear wall of the original dwelling house, with maximum height of 3m and eaves height of 3m.	Objection 22-09-21
EP/69/97	Provision of vehicular access	ApproveConditionally 17-10-97

REPRESENTATIONS

East Preston Parish Council - No objection to this proposal.

No comments were received from neighbouring occupants.

CONSULTATION RESPONSES RECEIVED:

None received.

POLICY CONTEXT

Built-up Area 2021.

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 5	Design in Character Area Four

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and 5 of the East Preston Neighbourhood Development Plan apply.

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 5 of the East Preston Neighbourhood Development Plan states that development within Design Area 4 will be supported if the scale, density, massing, height, landscape design, layout and materials are appropriate and ensure that open frontages are retained, make provision of off street parking.

Section M of the Arun Design Guide relates to residential extensions, setting out criteria to which the proposed extensions should meet. These predominantly seek to ensure that the proposal appropriately relates to the host dwelling and the area.

DESIGN AND VISUAL AMENITY

The proposed development seeks to construct an extension projecting from the side/rear of the host dwelling.

Due to the majority of the proposed extension sitting to the rear of the host dwelling, there will be minimal impact on views of the proposal from the public realm. The extension does however, extend 1.5m to the side of the dwelling. This side extension can be seen from the street scene, but is predominantly obscured by the frontage of this dwelling and set approx. 10m back from the front of the dwelling. Furthermore, these extensions are considered to appear subservient to, and well integrated with the host dwelling due to their design and use of materials despite the reasonably large size of the proposed extension.

The proposed development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan, Policies 1 and 5 of the East Preston NP and Section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. The proposed rear extension extends around 6.3m from the rear of the property and 1.5m from the western side of the property. Resulting in a ground-floor extension which is approx. in line with the western side neighbour dwelling. The proposal does extend 3m back beyond that of the attached neighbour property however, is also 3m from the boundary between the dwelling and attached neighbour dwelling. The proposed extension is of a significant size at approx. 87 cubic meters however, when considering the 45 degree rule, neighbouring dwelling site lines from rear windows do not intersect with the proposed extension. Furthermore, the proposal is ground floor only and does not introduce any openings above ground floor level. As such, it is not considered to result in a loss of privacy by way of overlooking to occupiers of neighbouring dwellings due its non-intrusive sitting.

The proposed development is considered 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 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

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:

Proposed Floor Plans & Elevations 1498/P02 G

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.