

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

REF NO: EP/123/15/HH

LOCATION: 102 Sea Road
East Preston

PROPOSAL: Side extension, dormer & front porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect the following:

1. A single storey side extension along the full depth of the main north side wall of the dwelling. This would be 7.534m deep and vary between 1.329m in width at the front and 2.049m in width at the rear, due to the slightly irregular plot shape. No side windows are proposed. A rear door is proposed and the accommodation is an extended kitchen area and what appears to be a washroom/utility room. The side of the extension would be 0.15m away from the side boundary.

2. A single storey front extension which would be 2.283m in width and 1.32m in depth. This would be partly under a slight over sail in the existing front two-storey element. Outside of the area underneath the over sail the eaves would be 2.6m and the top of the roof plane would be 3.4m. Behind what will be a 'mock' pitch will be a flat roof which will not be visible.

3. A front dormer to an existing small room in the sloping roof. This will allow for provision of a second bathroom which would be accessible from the landing and would also be an en-suite to serve a bedroom. The dormer would have a hipped roof. The front wall of the dormer would extend 1.4m out from the roof plane. The roof would be hipped back. Dormer eaves would be 1.2m above roof plane and ridge 2.1m high.

Materials for the extensions are to match existing.

SITE AREA

The site area is approximately 0.04 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The boundary of the site to Sea Lane to the east is wooden panel fencing of approximately 1.8m in height and to Somerset Road to the north is it wooden panel fencing of approximately 2m in height. There are also gate columns with a small element of wall facing Sea Lane in the south corner of the plot, with wrought iron gates. The boundary with no.84 to the south is a 1.8m wooden panel fence and with the bungalow to the west a 2m wooden panel fence.

SITE CHARACTERISTICS

The site is occupied by a previously extended dwelling which is roughly L shaped and which has rooms in the roof space and dormers with windows in upper gables. There is also a two-storey front element with gable facing the highway. The dwelling is constructed of red brick with small plain brown roof tiles. There is a parking area of the site access to Sea Lane which can accommodate 3 to 4 cars.

CHARACTER OF LOCALITY

The character of the immediate area is residential. To the east side of Sea Lane is the open space/undeveloped land known as The Plantation. To the north, south and west of the site there is housing development. Development to the west of the is in the form of bungalows. Opposite to the north there is a two-storey corner dwelling. To the south there is a bungalow.

RELEVANT SITE HISTORY

EP/41/08/	Change of use from 4 bed detached house to day nursery & before and after school facility for a maximum of 24 children.	ApproveConditionally 15-10-2008
EP/34/15/PL	Change of use from childrens day nursery (D1 Non residential institutions) to 1 No 4 bedroom domestic household (C3 Dwelling house).	ApproveConditionally 07-05-2015

None.

REPRESENTATIONS

Representations received:

East Preston Parish Council

East Preston Parish Council has no objection and comments:

The Planning & Licensing Committee of this council considered this Application at its meeting on Monday, 12th October. The applicant was invited to and did attend the meeting.

The committee agreed unanimously it had no objections to raise against this proposal.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2 GEN7 DEV19	Built-up Area Boundary The Form of New Development Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		SD SP2 Built-Up Area Boundary D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design
East Preston Neighbourhood Plan 2014 Policy 1 East Preston Neighbourhood Plan 2014 Policy 4		Housing - General Principles Design in Character Area Three

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

East Preston has a made Neighbourhood Development Plan. Policy 1 is relevant and the site also falls within Character Area 3 where Policy 4 applies.

Policy 1: Housing - General Principles

Development proposals will be supported, provided:

- i. the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, reflect and enhance the architectural and historic character and scale of the surrounding buildings;
- ii. they meet the adopted car parking standards, whereby the amount and method of parking provision should not adversely affect road safety, or result in unacceptable levels of on-road parking demand;
- iii. proposals for a change of use of a dwelling to a commercial holiday letting demonstrate that they will not harm the amenities of the local residential area; and
- iv. they retain amenity land, incidental open spaces and roadside verges.

Policy 4: Design in Character Area Three

Development proposals in Character Area Three, as shown on the Proposals Map (roads outlined in blue) will be supported provided the scale, density, massing, height, landscape design, layout and materials of including alterations to existing buildings, will:

- i. sustain and enhance the significance of the historic character of the area;
- ii. employ building materials that harmonise with those used in existing buildings;
- iii. preserve front boundary walls;
- iv. ensure that where apartment blocks are proposed, their scale, massing, detailing and landscaping is domestic in form and their appearance harmonises with the housing types of the area.

The text accompanying Policy 4 advises:

4.28 This area comprises the older parts of the village and also its main roads, on which much redevelopment has already occurred. This redevelopment has largely comprised two and occasionally three storey blocks of flats, and is mostly near Angmering station. The priority in this area is the preservation of the historic character of the village centre. The settings of heritage assets must be rigorously protected. Any new buildings should be appropriate to a village setting.

4.29 Front boundary walls are a major factor in creating the character of this part of the village. Many of the walls are old, and built of flint. Only at listed buildings, such as Preston Place, do they have any protection. They can otherwise be demolished by householders using their rights of permitted development. An Article 4 Direction in this Character Area will enable control over the demolition, construction or alteration of walls or other features which contribute to the street scene.

The proposals are generally consistent with the Development Plan, including the Neighbourhood Plan.

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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application is to be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the works described above and will result in a more limited change to the appearance of the existing dwelling. The extensions have been sympathetically designed in terms of endeavouring to match the appearance of the existing dwelling and are limited in scale. What is proposed will not result in a dwelling with a significantly increased massing and sits well within the site in terms of massing and scale and is not considered to be visually intrusive or detrimental to the appearance of the existing dwelling or the street scene.

It is therefore considered that the proposed development is acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan and with policies D DM1, D DM4 and D SP1 in the Emerging Local Plan.

RESIDENTIAL AMENITY

The proposed development does not result in impacts on the residential amenity of surrounding occupiers in terms of privacy loss or dominance in outlook as the scale of development is limited and there is good separation between dwellings. In addition, no side windows are proposed. The new roof to the side extension slopes away from the adjoining dwelling.

OTHER

Car parking is satisfactory for a dwelling of this size being at least 3 car spaces.

CONCLUSION

The development proposed is acceptable in principle and detail and does not give rise to detriment to the street scene or the amenity of adjoining occupiers

It is therefore recommended that planning permission be granted 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 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

In assessing this proposal the Neutral 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).

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 drawings:

Drawing Number 1799/01/05 - Site Plan - Dated September 2015

Drawing Number 1799/01/02 - Plans & Elevations Proposed - Dated September 2015

Drawing Number 1799/01/03 - Proposed Ground Floor - Dated September 2015

Drawing Number 1799/01/04 - Proposed First Floor - Dated September 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 3 No windows shall be constructed in the north side elevation of the extension hereby permitted which faces the side boundary with No.100 Sea Road without the prior planning permission of the Local Planning Authority to an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining dwelling in accordance with policies GEN7, DEV19 of the Arun District Local Plan, 2003 and policies D DM1 and D DM4 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 4 The materials and finishes of the external walls, roof, windows and doors of the extensions hereby permitted shall match in appearance, colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan 2003 and policies D DM1, D DM4 and D SP1 in the Arun Local Plan 2011-2031, Publication Version.

- 5 **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.