

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

REF NO: EP/128/20/HH

LOCATION: 48 Angmering Lane
East Preston
BN16 2TA

PROPOSAL: Erection of a two storey rear extension. Existing brick house to be rendered in white with alterations to fenestration

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	A flat roofed rear extension projecting 4.65 metres, 13 metres in width across the back of the dwellinghouse with a height of 5.6 metres.
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REPRESENTATIONS

No comment received from East Preston Parish Council.

4 letters of comment received from neighbouring properties making the following comments;

First floor extension out of keeping.
Balcony will overlook rear garden of neighbouring property.
Out of character with existing dwellinghouse.
Adverse impact on street scene.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN

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

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 & 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 the criteria for development within Character Area One. These ensure that proposals preserve the character of the street scene, and resist any increases in density that would alter this character. It also seeks to avoid apartment block development, and protect the view from the beach.

DESIGN AND VISUAL AMENITY

The proposed extension would be to the rear of the dwellinghouse and therefore is not considered to impact significantly on the street scene. The two storey extension would be in keeping with the existing dwellinghouse in that it would be subservient to it as a whole with a lower pitched level and of a reasonable and proportionate scale to the host dwelling.

The extension would accord with policies DDM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension would project out in line with the neighbours conservatory at 46 Angmering Lane which is considered acceptable in terms of loss of light or overbearing impact because the main aspect of the conservatory is to the rear of the dwellinghouse. No windows would overlook the property on the side elevation of the extension.

On the side of 50 Angmering Lane the new extension would be 9.5 metres from the neighbours house which is considered sufficient to protect against a loss of light or overbearing impact caused.

The balcony would have an enclosed side and as such any overlooking would be largely to the rear of the hosts garden.

The new proposed windows in the south elevation at first floor level will be conditioned to be obscure glazed and fixed shut so as to avoid any unacceptable overlooking.

The extension is considered to accord with policy D DM1 and D DM4 of the Arun Local Plan in relation to residential amenity

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 Elevations Dwg.No. 0010 Rev P2 dated Aug 2020

Proposed Ground Floor Plan Dwg.no.0007 Rev P2 dated Aug 2020

Proposed First Floor Plan Dwg.no. 0008 Rev P2 dated Aug 2020

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 The new windows on the first floor of the south elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening up to 1.7m from the finished ground floor level. The proposed screening to the balcony as shown in plan number Dwg.No. 0010 Rev P2 dated Aug 2020 will be put up before its use as a balcony and retained as such thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with

policies D DM1 of the Arun Local Plan.

- 4 **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.