

Recommendation Report for Planning Permission

REF NO: EP/135/18/PL

LOCATION: 17 Seaview Avenue
East Preston
BN16 1PP

PROPOSAL: Variation of condition imposed under EP/139/16/HH relating to approved front elevation plans.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission to vary plan condition 2. seeking consent for a revised design to the front elevation as approved under EP/139/16/HH.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site consists of a brick wall approximately 1.8m in height. The side and rear boundaries of the site consist of a mixture of fencing and planting to a height of approximately 2m.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow with painted brick elevations and a tiled roof. The application site features a detached garage to the rear of the existing dwelling.
CHARACTER OF LOCALITY	The character of the locality is residential in nature and features properties of various designs and styles.

RELEVANT SITE HISTORY

EP/139/16/HH	Side & rear extensions & creation of first floor.	ApproveConditionally 14-11-16
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The principle of development was set under application EP/139/16/HH .

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council
None received.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built area boundary

DEVELOPMENT PLAN POLICES

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary

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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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

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 principle of development was agreed under the previous application EP/139/16/HH. This application assessed the impact of revisions to the front elevation in terms of design.

DESIGN AND VISUAL AMENITY

The approved development allowed from a ground and first floor glazed window to allow light into the hall and landing. This window was proposed to the external east (front) elevation. The revised elevation allows for a ground floor main entrance door and first floor window. The revised design is not considered to conflict with the established character of the area - 15 Seaview Avenue (immediately to the south) of the application site is a two storey dwelling and is of a similar design with windows of a similar proportion to the front facade.

The proposed alterations to the dwelling are considered in keeping with the character of the street scene with the proposal being of a similar scale to the existing development immediately to the south of the site. Therefore, the proposal is deemed to accord with policies D SP1, D DM1 & D DM4 of the Arun Local Plan. As well as East Preston Neighbourhood Plan 2014 policies 1 & 2.

RESIDENTIAL AMENITY

The proposed first floor window is similarly not considered to give rise to any overbearing or overshadowing impacts on 15 Seaview Avenue (to the south of the application site).

Therefore, the proposal is deemed to accord with policies D DM1 of the Arun Local Plan.

SUMMARY

The proposal is considered to accord with relevant development plan policies and as such is recommended for approval subject to the below 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 for 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 no impacts have been identified upon any 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: Location Plan of BN16 1PP; Proposed Floor Plans - A101 Rev H; Proposed Elevations - A106 Rev H.

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy 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.