

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

REF NO:	EP/138/18/HH
LOCATION:	Tamarisk House 5 Tamarisk Way East Preston BN16 2TF
PROPOSAL:	Construction of garage to west elevation (amendment to previous approval EP/159/16/HH)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is an amendment of EP/159/16/HH which granted permission for a single storey front extension to create an additional bedroom and proposed external staircase to the rear of the property. The proposal is identical except for the addition of a ground floor single garage to the western side of the front elevation measuring 4.5 metres in width (to within 1 metre of the western boundary of the property), 8.2 metres in depth and 3.2 metres in height. The new additional garage would match in height, style and design the proposed double garage granted in the original permission (EP/159/16/HH).
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RELEVANT SITE HISTORY

EP/159/16/HH	Single storey front extension to provide additional bedroom. New external staircase to provide access from existing first floor roof terrace to garden & extension of front wall of garage	ApproveConditionally 10-01-17
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council
No objection

Neighbour at 7 Tamarisk Way
Height, length and mass in addition to the existing proposed extension will have an overbearing impact on no. 7.
The proposed development right across the width of the site will have an adverse impact on the open

character of Tamarisk Way where a minimum of 2 metres is retained to the boundary. and a negative impact on the street scene.

The plans submitted are inaccurate.

Officer response;

Issues relating to the character of the area, design and residential amenity addressed in the Conclusions section of the report.

a) The roof plan was inaccurate and a revised plan rectifying this has been submitted by the applicant.

b) The block plan shows the distance from the proposed garage side elevation wall to the new boundary is 1 metre The false pitched roof overhangs a further 30 cm.

c) The west side elevation shows the relevant proposed garage and is therefore acceptable.

d) The hedging is on the neighbouring side of the wall (7 Tamarisk Way) and has been considered in assessment in the Conclusions section of the report below.

CONSULTATION RESPONSES RECEIVED:

None received.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
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:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan and policies 1 & 2 of the East Preston Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local 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 ensure that alterations preserve the street scene and avoid any increases in density that would alter the character of the area.

DESIGN AND VISUAL AMENITY

The majority of the proposed extension has been approved under planning permission EP/159/16/HH with the exception of an additional single garage to the west side of the property

The proposed garage extension would be sited approximately 1m from the boundary with the adjoining property to the west and would not have a significant impact on the street scene due to the 2 metre front boundary wall and wooden gates and the set back of the front elevation of the proposed new garage 8 metres from the front boundary wall such that the proposed garage would have a limited visual impact on the wider area.

A number of detached residences neighbouring the application property including no.3, 7 and 9 and 11 Tamarisk Way have elements of single storey development to within 1.5 metres of the side boundaries on one or both sides such that the proposed development at no. 9.

The property currently has a staggered frontage and the neighbouring property (no.3) to the east stands forward of Tamarisk House close to the front boundary. The materials of the proposed extensions would match the existing house. The proposed front extension still retains a large part of the front garden area. Given the depth, width and height of the extensions it is considered that the proposed single storey additional garage in addition to the additions already approved appear subservient to the main property. In summary the proposed extension viewed in addition to the existing house and surrounding properties would be of an acceptable design and would not be considered to be out of character in the local area.

The proposed development is considered to be in accordance with D DM1(2), D DM4(a) and (b) of the Arun Local Plan in terms of design and visual amenity. Additionally, it is deemed to be in accordance with policies 1 & 2 of the East Preston Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed additional garage would have a side elevation eaves height of 2.4 metres in height with a 3.2 metres high false pitched roof overhanging a further 30 cm toward the shared boundary with no. 7 Tamarisk Way. The proposed additional garage would project 5 metres forward of the neighbours residential 2.6 metre high outbuilding at 7 Tamarisk Way. The boundary treatment at this location is a 1.6 metre wall with hedging on no. 7 's side. This hedging consists of an evergreen tree approx. 4 metres high located in front of the front north facing windows of the outbuilding and further 2 metre high evergreen hedging forward of 4 metre high tree. In addition the outbuilding at no. 7 is considered to be a secondary habitable room.

No windows are shown in the west facing elevation of the proposed garage however for the avoidance of

doubt a condition could be applied restricting the insertion of any windows in that elevation should the application be recommended for approval.

Consequently the impact of the proposed additional garage is not considered to cause a significant loss of light, overbearing impact or loss of privacy to 7 Tamarisk Way given the existing boundary wall and hedging. The other aspects of the development relating to residential amenity have already been considered and approved under application EP/159/16/HH and therefore as a whole the proposed development is deemed 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

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 Plan, Elevations, Roof Plan and Site Block Plan dwg.no. 1073.P02.e dated 04/11/2016

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 No windows shall be constructed in the western elevation of the garage extension hereby permitted which adjoins the side boundary with 7 Tamarisk Way without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 4 The materials and finishes of the external walls and roofs of the buildings hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies DDM1 and DDM4 of the Arun Local Plan.

- 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.