

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

REF NO: EP/13/18/HH

LOCATION: 59 Sea Lane
East Preston
BN16 1ND

PROPOSAL: Single storey front & rear extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to erect a single storey extension, with addition of a porch. To the rear, it adds a flat roofed extension, measuring 3m in depth, 9.25m wide and 2.85m high.
SITE AREA	Approx. 737.5sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The majority of the front boundary is bordered by a 1.3m high hedge. The side and rear boundaries are bordered by a mix of fencing and foliage ranging from 1.8m - 2.3m in height.
SITE CHARACTERISTICS	The site is populated by a detached chalet bungalow. It has a large front driveway/ garden. and as a result of its aspect, appears to be slightly set-back when compared to adjacent properties.
CHARACTER OF LOCALITY	The location is home to a mix of housing styles and types. It is characterised by the uniqueness and individuality of properties.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council
Parish Council - No objection.

No comments received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
DEV19	Extensions to existing residential buildings
GEN7	The Form of New Development

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

<u>East Preston Neighbourhood Plan 2014 Policy 1</u>	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 District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The Main Modifications to the Arun Local Plan (2011-2031) were previously out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

East Preston does benefit from having a 'made' neighbourhood plan, Policy 1 and 2 are deemed to be relevant to this development. This is because the site falls within Character Area 1 of the East Preston 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 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. In this case, the key

policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan. Additionally, Policy 1 and 2 of the East Preston Neighbourhood Plan. The application site falls within Character Area 1 of the East Preston Neighbourhood Plan, henceforth, Policy 2 is deemed to be relevant.

DESIGN AND VISUAL AMENITY

The proposed front extension, by virtue of its location is visible from the street scene and whilst the proposed design will result in a marked change to the appearance of the host dwelling, it is not considered to have a significantly detrimental impact on the street scene. The proposal is considered to be subservient and well integrated with the host dwelling, as a result of the modest scale, and materials to match the host dwelling.

The rear extension is not visible from the street scene, both due to its position, and intervening foliage that blocks view to the rear of the property. Additionally the proposed materials match the existing dwelling, due to this and its reasonable height. Therefore, the proposal is in accordance with the criteria set out in Policy 2 of the East Preston Neighbourhood Plan.

Therefore, the proposal is considered to be in accordance with GEN7(ii), DEV19(i), (ii) of the Arun District Council Local Plan and Policy 1 & 2 of the East Preston Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

Whilst both the front and rear extensions feature windows, none of the proposed windows provide views into adjoining properties to the North or South. This is because the windows on the front extension face the street, and the windows on the rear extension face into the garden, and are over 30m from the closest dwelling. As a result of the location of the development and the aspect of the dwelling, it is not considered that the proposal will have a unacceptable impact on the amount of overshadowing or have an overbearing impact on adjacent properties.

The proposal is not deemed to have a significantly detrimental impact on the neighbouring residential amenity of adjoining properties, in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council 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

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 Plans, Elevations, Roof Plan and Site Block Plan - 1146.02.b - 19/12/2017

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 3 The materials and finishes of the external walls and roofs of the development hereby permitted shall match in 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.
- 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.