

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

REF NO: EP/146/18/HH

LOCATION: 37 The Ridings
East Preston
BN16 2TW

PROPOSAL: Two storey rear extension and extension to drive

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed development seeks to erect a two storey rear extension to the host dwelling.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council

Parish Council - No objection

- The Parish Council would like for a construction management plan to be prepared for this extension.

No representations received from neighbouring dwellings.

Supporting Planning Statement from Agent:

- The extension is in keeping with surrounding properties, in terms of scale, design, mass and proximity to boundaries.
- The windows to habitable rooms and the private garden of #35 would not be affected by the proposed extension. Only the single storey extension is 0.99m from the boundary, and the first floor would be over 2.5m from the boundary.
- The extension does not affect the windows of habitable rooms of #39, the extension is 1.58m away from the boundary.
- The properties in the locality are built up to, or are within 1m of their boundary. #37 is reasonable small within its residential plot.
- The buildings opposite are large and close to each other.
- #35 fills 20.6% of its plot, #37 (proposed) would fill 15% of its plot and #39 fills 17.7%.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

REPORT_629(ODB)

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

East Preston Neighbourhood Plan 2014 Policy 3

Design in Character Area Two

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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. Additionally,

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 3 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals within Character Area Two. These are to ensure that a consistent low building height is protected, with no more than 1.5 storeys. Additionally, it ensures that where new rooms are to be created in a roof space, the height, or basic form of the roof will not be altered.

DESIGN AND VISUAL AMENITY

The proposed development seeks to (more than) double the existing footprint of the host dwelling. The existing dwelling is of a modest scale, and sits forward of the existing boundary line in the locality.

The proposed development is sited at the rear (East) of the host dwelling and as a result of the siting of the host dwelling within its unit, it is visible within the street scene. This extension fills the visual gap between the host dwelling and its neighbours when viewed from various points within the street scene. This is considered to alter the existing spatial pattern of the locality, in conflict with D DM4(e) of the Arun Local Plan and Policy 1 (4.16) of the East Preston Neighbourhood Development Plan. However, as a result of the significant bulk of the extension, it is not considered to be a subservient or sympathetic addition to the host dwelling, in conflict with D DM4(b) of the Arun Local Plan.

The proposed extension is not considered to represent an overdevelopment of the host dwelling within the residential plot, as the locality is populated by dwellings of varying sizes and designs. As a result of

the mixed character of the locality, the proposal is not considered to have a detrimental impact upon both the established character of the host dwelling, or its locality.

Whilst it is noted that the proposed development conflicts with policies D DM4(a), (b) and (e) of the Arun Local Plan, the proposed development is not considered to have a significantly harmful impact upon the character of the host dwelling or the area. Therefore, the proposed development is in accordance with D DM1 of the Arun Local Plan. On balance, it is considered that the proposed development is acceptable in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have a significant overbearing impact on the adjacent occupier to the North, as whilst the proposed development is within 1m of this dwelling, it features no windows to principal habitable rooms on this elevation. Therefore, the proposed development is not considered to have any significant overbearing or overshadowing impact upon adjacent occupiers.

The proposed windows on the extension are not considered to result in any significant loss of privacy to the neighbouring dwellings.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

On balance, it is considered that whilst the proposed development is in conflict with D DM4(a) and (b) of the Arun Local Plan, it is in accordance with the other 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:

 - Block Plan - 37THE-18 - REVA - 10th October 2018 - 01
 - Proposed Floor Plans - 37THE-18 - 4th October 2018 - A104
 - Proposed Elevations - 37THE-18 - 4th October 2018 - A102
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 materials and finishes of the external walls and roof 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 policy D DM1 of the Arun Local Plan.
- 4 The new windows on the first floor, Northern elevation of the proposed development shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1(3) 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.