

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

REF NO: EP/149/20/HH

LOCATION: 100 Sea Road
East Preston
BN16 1NP

PROPOSAL: Single storey rear extension, second storey enlargement of side dormer, conversion of garage to study including demolition of existing conservatory & addition of first floor window to southern elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to constrict a single storey rear extension, an enlargement of the side dormer, the conversion of the garage including demolition of the conservatory and the addition of a window to the Southern elevation.

RELEVANT SITE HISTORY

EP/165/19/NMA	Non-material amendment following the grant of reference EP/166/18/HH for the alteration of rear parapet roof profile and addition of first floor window to southern elevation	Approve 03-02-20
EP/166/18/HH	Erection of a two storey rear extension, second storey enlargement of side dormer and conversion of garage to study including demolition of existing conservatory	ApproveConditionally 01-02-19

REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIESArun 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)
DSP1	D SP1 Design

East Preston Neighbourhood Plan 2014 Policy 1

Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 4

Design in Character Area Three

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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, Policy 1 and 4 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 4 of the East Preston Neighbourhood Development Plan seeks to ensure that development within Design Area 3 sustains and enhances that historic character of the area, through the use of building materials that harmonise with the existing building. Also, it seeks to preserve boundary walls, and restrict and control the construction of apartment blocks.

DESIGN AND VISUAL AMENITY

The proposed rear extension will not be visible from the street scene due to its siting at the rear of the host dwelling. As a result of the modest scale of the extension, it is considered to appear subservient to, and well integrated with the host dwelling. Similarly, the proposed alterations to the side dormer are primarily focussed to the rear of the host dwelling and therefore are considered to have minimal impact upon the character of the host dwelling as it appears within the public realm. Furthermore, there are examples of similar development within the area, which is considered to mitigate any potential for incongruous appearance of the proposed development within the area.

The proposed conversion of the garage is considered to have an acceptable impact upon the character of the area. This is because the majority of the alterations associated with this element of the proposed

application are internal with the main visual change will be that the aspect of the building that faces the street scene will have alterations to its fenestration. This is because the existing garage door will be bricked up, and replaced with a window. This would not be a unique feature within the locality, and is not considered to be so significant a change as to prescribe refusal of the application.

The proposed development is considered to be in accordance with policies D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of the neighbouring dwellings. The proposed single storey element of the development is at an eaves height of approximately 2.3m high, when 1.7m from the Northern boundary of the application site. The proposed two storey extension projects to align with the existing rear face of the host dwelling, as such, this is not considered to result in any significant harm upon the neighbouring dwelling as it represents a reasonably standard side-to-side relationship. The proposed development is not considered to give rise to any views from the proposed fenestration of which are not available from the application site at current. The proposed Southern window is stated as being obscure glazed and have a restricted opening, and will be conditioned as such.

The proposed development is considered 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

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:

- Location Plan and Block Plan - 183011/012 - Rev. A
- Proposed Plans - 183011/011 - Rev. A

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 window at first floor level in the Southern elevation of the building shall at all times be and remain glazed entirely with obscure glass and be installed with an opening restrictor, which shall remain in perpetuity, in accordance with the details submitted;

- Window restrictor details, submitted 15th January 2021.
- Accompanying letter from Pavillion Glass dated 24th January 2020.

Reason: In the interests of the amenities of the occupants of nearby properties 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.