

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

REF NO: EP/157/14/HH

LOCATION: 6 Elm Avenue
East Preston

PROPOSAL: 3 No new windows and Juliet balcony, new porch, remodel gable end, new hipped roof to garage, new PV array & remodelled part pitch roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 960 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Hedging and trees to front sides at over 2m in height. Close boarded fencing to the rear at approximately 1.8m in height with trees along the southern boundary.
SITE CHARACTERISTICS	A two storey detached property with smooth rendered elevations painted white. The roof is hipped with brown roof tiles. There is a sloping tiled roof to front above a porch and integral garage. Ground and first floor bay windows to front.
CHARACTER OF LOCALITY	Predominantly residential in character, there are mainly two storey detached properties in the area.

RELEVANT SITE HISTORY

EP/11/78	Erection of garage and porch	ApproveConditionally 01-03-1978
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REPRESENTATIONS

Representations received:

East Preston Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

EPDS East Preston Village Design Statement

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; 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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission to undertake various alterations to a two storey detached property.

The new windows as described in the application comprise of 1no. on the side (west) elevation at ground floor level and 2no. on the rear elevation of the property. The proposed Juliet balcony is at first floor level on the rear elevation.

An existing sloping roof over the front door will be replaced by a porch with a pitched roof and a gable roof over an existing integral garage. These changes are considered acceptable given their sympathetic design and materials which will match those used on the dwelling.

Two gable end roofs will be added to the first floor bay windows and these are considered to appear visually subservient in their design and dimensions. The pitch of the roofs matches that of the porch which forms part of this application to acceptably blend in.

A remodelled part pitched roof is proposed on the rear elevation with photovoltaics (PV) situated behind. The PV panels will not be easily seen due to the pitch of the remodelled roof and this has been designed to be set down well below ridge height.

It is therefore considered that the proposal is acceptable in design and visual amenity terms and complies with policies GEN7(ii) and DEV19(i) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The 3no. new windows are all at ground floor level with 1no. window on the west elevation having any views interrupted by close boarded fencing at approximately 1.8m in height.

The proposed Juliet balcony on the rear elevation at first floor level has no depth and therefore no capacity to be stood on so that it will not give rise to any harmful overlooking, over and above existing levels.

The rear roof will be remodelled to incorporate a part pitched element. However, this is centrally set within the rear elevation with considerable distances away to neighbouring properties and as such will not cause any harmful overbearing or overshadowing effects. The remaining minor changes to the front elevation are screened by dense high hedging on both sides and so will not cause any unacceptable residential effects.

The proposal is therefore considered to comply with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

It is therefore recommended that the application is approved, 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 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, a neutral impact has 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.

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: drawing number ADS-001P (Location plan) dated 14-10-2014, ADS-002P (Site plan, existing) dated 14-10-2014, ADS-004P (Existing plans/elevations) dated 14-10-2014, ADS-008P (Proposed plans/elevations) dated 14-10-2014 and ADS-007P (Proposed plans/elevations) dated 14-10-2014

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 extensions and roof remodelling hereby permitted shall match in colour and texture to 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 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.