

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

REF NO: EP/157/20/HH

LOCATION: 29 Tamarisk Way
East Preston
BN16 2TE

PROPOSAL: Demolition of part of existing garage and outbuildings. Erection of new 3 bay garage. Extensions and internal and external remodelling of existing dwelling including change from thatch to clay tiled roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to demolish part of the existing garage, and outbuilding. It then seeks to construct a new 3-bay garage, and to extend and alter the host dwelling, including a change of the roof materials.

REPRESENTATIONS

East Preston Parish Council - No objection.

4 letters of support:

- Good improvement of the property.
- The proposal is more fire-safe than thatch.
- The proposal represents stunning design.
- The proposal is similar to another property in the area.
- The design of the proposal is sympathetic to the neighbouring dwellings.
- There are fires on the area behind the dwelling on occasion.
- The new design is sited similarly to the neighbouring dwelling #27, which has six garages spanning the frontage.
- The ridge heights are consistent with the neighbouring dwelling.
- Most properties in the area span across the site from the left to right.
- The Council should only permit the application after details of the materials are confirmed.

5 letters of objection:

- The proposal conflicts with a land covenant.
- The proposal would sit closer to the road than other dwellings.
- The thatched dwelling that set on fire in the area was due to a malfunctioning chimney flue.
- There are no fires on the beach.
- The hedge on Tamarisk Way cannot burn.
- The proposal will have a harmful impact on Tamarisk Way.
- The garage building will replace an open area of lawn and have a harmful impact upon the building line of the area.
- The amenity of the neighbouring property will be affected by the height and proximity of the proposal.
- The removal of the thatch will harm the buildings character.
- The works cannot be done under P.D.
- The verge is not owned by the applicant in order to widen the access.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. The majority of the comments raised will be addressed in the conclusion section. Land ownership, covenants and fire safety are not material planning considerations. The proposed roof alterations can be done under Permitted Development, and therefore not require planning permission.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Locally Listed Building

DEVELOPMENT PLAN POLICIES

[Arun 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
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character

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:

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, D DM4 and HER DM2 of the Arun Local Plan. Additionally, Policies 1 and 2 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 HER DM2 of the Arun Local Plan relates to Locally Listed Buildings or Structures of Character. First, it sets out the criteria that should be met by the buildings in order to become locally listed. With relation to the alteration or extensions of buildings on the Local List, it states that the proposal should relate sensitively to the building, respecting its architectural, landscape or historic interest.

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 the criteria for development within Character Area One. These ensure that proposals preserve the character of the street scene, and resist any increases in density that would alter this character. It also seeks to avoid apartment block development, and protect the view from the beach.

DESIGN AND VISUAL AMENITY

The host dwelling is sited in an area which plays host to a wide variety of dwellings, styles, types and sitings. As such, the locality is considered to have a mixed character, with a varied spatial pattern. Furthermore, a wide variety of materials and boundary treatments can be found within the area. As such, the proposed works to the front boundary of the application site are not considered to result in harm to the character of the area, in that they contribute to this eclectic character.

The proposal seeks to demolish the existing garage and outbuilding in order to replace with minor alterations and extensions to the host dwelling, and a large 3 bay garage. Whilst it is noted that the proposed development will result in a change in appearance of the host dwelling, this is not considered to be so harmful a change as to result in harm to the Locally Listed Building, or harm to the locality. The proposed alterations and extensions to the host dwelling are considered to result in a minimal impact upon the established character of the host dwelling as a result of their single storey nature allowing them to appear subservient to the host dwelling, sympathetic to its character, and sensitively relate to its special interest. The proposed garage is considered to be a well designed addition to the application site, and is considered to appear as subservient to the host dwelling, and well integrated with the site. There are examples of similar garages within the area including a similarly scaled and sited garage at 27 Tamarisk Way.

The proposed change of roof materials from thatch to roof tiles is considered to result in a change of appearance of the host dwelling within the street scene. However, this change is not considered to be so harmful as to prescribe refusal of the application, in that the altered roof materials are considered to sensitively relate to the host building. Furthermore, it should be noted that the proposed change of roof materials can be performed under Permitted Development.

The proposed development is considered to be in accordance with D DM1, D DM4 and the relevant policies within the East Preston Neighbourhood Development Plan.

LOCALLY LISTED BUILDING

The host dwelling is listed as a Locally Listed Building, and therefore Policy HER DM2 of the Arun Local Plan applies, which seeks to ensure that proposals which alter or extend buildings on the Local List are sympathetic to its character, and protect its interests. In this instance, the proposed extensions and alterations to the host dwelling are considered to be minor in their scale, and their overall impact upon the host dwelling. The largest physical change to the proposal is the removal of the thatch, however, this can be performed without planning permission. In order to ensure that this alteration, and the other development proposed under the application, does not result in harm to the Locally Listed Building, a condition will be recommended in order to ensure that appropriate materials are utilised.

The proposed development is considered to sensitively relate to the Locally Listed building, and result in no significant harm to its special interest, in accordance with HER DM2 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon occupiers of the neighbouring dwellings. This is predominantly as a result of the aspect of the development site allowing any potential for loss of light to fall within the application site itself, but additionally, the scale of the proposal prevents this also. Furthermore, the proposed development is not considered to result in a change of available views from the host dwelling, due to the nature of the proposed development.

The application is considered to accord 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:

- Proposed Site Plan - 1469/05 - October 2020
- Proposed Ground Floor - 1469/06

- Proposed First Floor - 1469/07
- Proposed Second Floor - 1469/08
- Proposed Roof - 1469/09
- Proposed Elevations - 30-09 - 2020
- Proposed Elevations - 17-09 - 2020
- Proposed Elevations - 23-11 - 2020
- Proposed Elevations - 25-09 - 2020

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development .

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy 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.