

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

REF NO: EP/167/21/HH

LOCATION: 2 Vicarage Lane
East Preston
BN16 2SP

PROPOSAL: Erection of single storey rear and side extensions with mono pitched roofs and installation of fencing to front and side.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks two extensions, one to the rear measuring approximately 5.7m (w) by 2.5m (d) and the other a side fronting a highway measuring 1.4m (w) by 4.8m (l) and a new 1.8m close board fence to the boundary of the site.

REPRESENTATIONS

Parish Council - Objection.

The Committee has no objections to the proposed extensions but it did agree to object to the proposed 2m high fence. The property is in a relatively open-plan part of the village, characterised by low-level boundary walls. There are several examples in Vicarage Lane where additional screening has been provided this has been with hedging rather than fencing. Hedging encourages biodiversity too. This property is on a prominent junction. The proposed fence would be overbearing and out of keeping with neighbouring properties.

East Preston and Kingston Preservation Society - Objection.

The single storey extensions proposed are unobjectionable. The Society does objects to the application to put up 1.8m or 2m high close board fencing along the greater length of the boundary of this prominent and open corner plot. Most properties along Vicarage Lane have border hedges, or lower fences or walls with vegetation behind them. Such a length and height of stark close board fencing is inappropriate for the area. The Society asks that the application for the fencing be refused.

1 Neighbouring Letter - Objection

The main fencing is 2 tall which is completely out of character for this section of the pavement & verge and would look out of place.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary
Article 4 land

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)

<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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, side extension should be subservient to the host dwelling and respect the space between buildings and rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

East Preston has a made neighbourhood plan and policies 1 and 2 are of relevance to householder extensions. Policy 1 looks to control general principles relating to householder extensions including character and scale, car parking provision, amenities of local residents and protection of green spaces. Policy 2 provides the areas of character (Area 1) design guidance and seeks to control density, size and outlook.

DESIGN AND VISUAL AMENITY

The site is on a corner plot to the North of the junction of The Street and Vicarage Lane. The area has an open character with deep grass verges and low level front boundaries mainly consisting of hedges. The properties are predominantly detached two storey, with deep frontages and good sized rear gardens.

The proposal is for two extensions one to the rear and the other a side extension both single storey and appropriately scaled when compared to the house and the plot on which it sits. They will be traditionally styled to match the house in design and materials and include mono-pitched roofs with an equal pitch to the existing roof. Due to good visual integration they are subservient to the dwelling in compliance with policy D DM4 (a) and ((b) of the Arun Local Plan.

The side extension will be visible from both Vicarage Lane and The Street. The side extension will not break the building line created by the properties in The Street nor will it sit forward of the primary elevation of the property, as such it will not compromise the character of the area in compliance with policy D DM4 (e) of the Arun Local Plan.

The 1.8m high fence will fully enclose the side garden of the property. The garden is currently bordered by a 300mm high stone wall. The character of the area is open, other properties have chosen to enclose their front gardens with hedges, this has led to a green attractive setting. The insertion of a 1.8m fence would be an alien feature to Vicarage Lane and many of the properties in The Street and would be out of character with the area in conflict with policy D DM1(1) of the Arun Local Plan. Additionally, the protection of the street scene is expressly mentioned in policy 2 of the East Preston NP and it is the fence would cause a negative impact to the street scene in conflict with this policy.

Having regard to design and visual amenity, whilst the extensions are acceptable the fence is an obtrusive and harmful form of development which conflicts with policy D DM1 of the Arun Local Plan and the East Preston NP policy 2.

RESIDENTIAL AMENITY

The property only has two neighbours, one to the North and the other the West. The rear extension is to be constructed 9m from the boundary shared with the property to the West and the 3.9m away from the boundary with the property to the North. It will be adjacent to a flank wall of the dual pitch garage to the North. Given the low level nature of the extensions and relatively short depth and width of the two extensions, they will not overshadow nor be overbearing to neighbouring properties.

In terms of overlooking the extensions will have fenestration at ground floor level only, where it is generally accepted that negative impact from overlooking will not occur.

The fence is positioned and designed such that it does not give rise to an adverse impact on the residential amenities of the surrounding neighbouring properties in compliance with policy D DM1 (3).

SUMMARY

Whilst the extensions are compliant with relevant Development Plan policies the fence has a significantly harmful impact on the character and appearance of the area in conflict with policy D DM1 of the Arun Local Plan, policy 2 of the East Preston NP and Part M of the Arun Design Guide.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

REFUSE

- 1 By reason of its siting, height and scale the proposed new fence to front and side garden (south and east boundary) will have an unacceptable harmful impact on the appearance and character of the surrounding area in conflict with policy D DM1 of the Arun Local Plan, policy 2 of the East Preston Neighbourhood Plan and the Arun Design Guide.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.