

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

REF NO: EP/168/21/HH

LOCATION: 23 Warren Crescent
East Preston
BN16 1BJ

PROPOSAL: Erection of self-contained annexe in rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Single storey self-contained annex in rear garden. The annex has overall measurements of 7m by 7m and a height of 2.8m.
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REPRESENTATIONS

Parish Council - No Objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built up area boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
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East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
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East Preston Neighbourhood Plan 2014 Policy 3	Design in Character Area Two
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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.

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. Part J.01 relates to buildings form and character and states that new development must ensure that the existing character and sense of place of an area is respected and enhanced. Part J.02 relates to building design and their scale and massing and states that development for new buildings or extensions to existing properties should have an appropriate scale determined by their context, function and positioning stating that buildings within coastal towns will tend to have a larger scale.

East Preston has a made neighbourhood plan and policies 1 and 3 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 3 of the East Preston Neighbourhood plan ensures that scale, density, massing, height, landscape design, layout and materials of, including alterations to existing buildings, will: maintain a consistent low building height and not exceed existing ridge heights.

DESIGN AND VISUAL AMENITY

It is proposed to construct a flat roof single storey building to the rear garden of the property. The building will be an 'L' shaped structure with an overall width and length of 7m. It will consist of 1 bedroom annex accommodation which will have an ancillary use to the main house. The structure is to be located adjacent to the northern and western boundaries.

Having regards to the proposed development the structure will be of an appropriate size and scale for its intended use and location within the residential curtilage of the host dwelling. Its design takes a modern approach which is not reflected in the design of the host dwelling, however as views of the structure, from outside the site are limited this is seen to have limited impact on the proposal.

The structure will not be visible from the street, and as such, will not negatively impact the character of the immediate local area. As the property will remain a single family dwelling the spatial character of the area will not be compromised by the development.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 of the Arun Local Plan and the Part J Arun Design Guide.

RESIDENTIAL AMENITY

The structure will be located adjacent to the northern and western boundaries. At its closest point the structure will be 10.2m away from the host dwelling. Straddling the boundary is a set of double garages, providing a single garage space to both No. 21 and No 23 Warren Crescent, the structure will be located to the North of the garage.

In this instance, an application for a detached building within the rear of the host dwellings garden is seen as an effective use of the site. A similar development could be constructed under the GPDO and for incidental purposes; therefore the impact of the physical nature of the building does not warrant refusal. As alluded to above the proposed structure will be located behind existing garages on site, lessening its impact on the host dwelling and the neighbour to the west.

In terms of overlooking, all windows are to be located at ground floor level where they are generally accepted not to create privacy issues, and they will face towards the centre of site; therefore only achieving views back towards the host dwelling or over the rear private gardens.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4(c) of the Arun Local Plan and Part J 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) 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

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

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 1 Proposed Plans, Elevations, Location and Block Plans
- Proposed Plans, Elevations and Site Plan

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 accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 23 Warren Crescent as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.