

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

REF NO: EP/169/21/HH

LOCATION: 11 Worthing Road
East Preston
BN16 1AT

PROPOSAL: First floor rear extension including the installation of x2 side windows in existing gables and x3 front velux rooflights. Revision of EP/133/21/HH.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application proposes a first floor rear extension measuring approximately 6.5m long by 6.1m wide. It will be located above an existing ground floor extension and contain a master bedroom. Alterations including new rooflights and two side windows to serve the existing bedrooms are also proposed.
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RELEVANT SITE HISTORY

EP/133/21/HH	Rear roof dormer extension including the installation of 2 x side windows and 3 x front velux rooflights	Withdrawn 09-12-21
EP/154/17/HH	Rear roof extension	Refused 02-02-18

REPRESENTATIONS

East Preston and Kingstone Preservation Society - Objection

This revised proposal does not meet the objections the Society made to the withdrawn application (EP/133/21/HH). It would still lead to an overdevelopment of an already much altered small semi-detached bungalow. The three street-facing rooflights would not fit in with neighbouring buildings, none of which has a front rooflight.

The rear first floor extension, though of altered design, will stretch further back into the plot and would not appear integrated with or subservient to the original structure. The bulky first floor extension would be overbearing in appearance and visible walking in both directions up the street.

It would also further compromise the symmetry of the attached bungalow to the west. The proposed side windows, even if obscure glazed, would have to be fully opening, as means of escape - again to the detriment of the amenity of neighbouring properties. The Society therefore asks that this application be refused.

CONSULTATION RESPONSES RECEIVED:

Parish Council - Objection

The committee agreed to object to this Application as the proposed rear extension has increased in size from Application EP/133/21/HH and therefore the objections the council raised to that Application still stand.

The Committee felt the proposed development was overdevelopment, would result in a bulky and overbearing rear dormer, not especially subservient to the existing roof (contrary to paragraph 4.14 within Policy 1 of the East Preston Neighbourhood Plan) and the proposed front rooflights would not be in character with the existing street scene.

Only one of the nearby bungalows has a front dormer and none have rooflights. The revised proposal will make the proposed rear extension even more visible when walking along Worthing Road and could result in additional unbalancing between this property and its linked property.

The above concerns render the proposal contrary to Policy 1 in the East Preston Neighbourhood Plan as the scale, density and massing would not reflect and enhance the architectural and historic character and scale of the surrounding buildings.

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
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 3	Design in Character Area Two

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**SITE HISTORY**

This application has been submitted after a previous application of a similar nature was withdrawn further to comments received from the Parish and Preservation Society. That application was for a square box dormer to sit above the existing ground floor extension, it would allow for the false pitch of the ground floor to remain and it would have had a similar bulk to the proposed albeit the square flat roof dormer was considered an out of character form of development. It is felt that by building the proposed extension within a roof structure the proposed increase in bulk has been softened and is far more in-keeping with the style of the building.

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, a 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 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

A first floor is proposed above an existing ground floor extension. The first floor will be contained within a large roof structure rising from the existing low level false pitched roof, it is noted that the existing eaves level of the false pitched roof will be retained on both the eastern and western elevations. To the north a gable end will be created. As the proposed extension continues with a chalet style design the proposal will not compromise the spatial character of the area.

The extension respects the established character of the host dwelling in size and scale and through the use of appropriate materials. Glimpses of the new roof structure will be visible from the street, however as the bulk of the structure i.e. the roof slope, moves away from its respective boundaries it will not adversely impact the streetscape. Concerns have been raised by the Parish Council and EPKPS relating to the proposals impact on the street scene, especially relating to the front rooflights unbalancing of the pair of semi's. The property has already had various Permitted Development and when considering the views from the public realm, the most significant alteration to the visual balance of the dwellings has come from the two hip to gable extensions. In comparison the addition of 3 rooflights is seen to have an insignificant effect which will have a limited impact over the pair of bungalows and as such this is not seen as a reason to refuse the application.

Concerns relating to the extensions dominance over the host dwelling has also been raised by the two parties. Development above the existing structure is seen as an effective use of the site which is supported by design guidance and, as the extension respects the existing features of the host dwelling by a means of an appropriate scale, respect to the dwellings existing design features and through a sympathetic use of materials, it will be subservient to the dwelling and as such complies with policy.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

RESIDENTIAL AMENITY

The proposed extension respect the existing spatial gaps between boundaries and neighbouring properties and will retain a minimum separation distance of 2m between adjacent boundaries. A rear garden length above design guidance recommendations will be retained.

When considering the 45-degree rule for rear extensions it is noted that No.9 Worthing Road has a large single storey rear extension approved, photographs show that works are starting on site. The rear elevation to No. 9, will extend past the the rear of the extension proposed within this application, at which point adhering with the 45-degree rule will become irrelevant. No.15 is not extended in the same fashion so is far more limiting when considering this rule, however, the ground floor extension to No 11 is existing and No.15 does not have any first floor windows, therefore the use of the 45-degree rule in this instance is not considered appropriate. Furthermore, from photographs it can be seen that there is mature planting to the shared boundary between the properties, as such it is considered that there will no negative impact from being overbearing or overshadowing to the neighbour at No 15.

During the course of this application alterations have been made to the side facing windows (east and west) in response to comments concerning overlooking. The two side facing windows will now be obscure glazed and non-opening below 1.7m above finished floor level and are considered acceptable, they will be conditioned to remain obscured to protect the amenity of neighbouring occupiers. The roof lights to the front of the property will now provide the two existing bedrooms their main outlook and will be used as a means of escape. The property could provide the rooflights without the need to obtain planning permission as they fall under the GPDO, as such they cause no concern.

Overlooking from the proposed first floor rear facing window will only achieve views already obtainable and there will be no negative impacts arising from their provision.

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 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) 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;
 - Location Plan
 - Site and roof Plan
 - Proposals 03 Rev A
 - Proposals 04 Rev B
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.
- 3 The East and West facing first floor windows hereby approved shall be non-opening below 1.7m above finished floor level and fully obscured windows prior to the first use of the rooms. The windows shall be retained as obscure glazed/non-openable in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with Policy D DM4(c) 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.