

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

REF NO: EP/175/18/HH

LOCATION: 111 Roundstone Drive
East Preston
BN16 1EN

PROPOSAL: Demolition of existing outbuilding & sunroom and proposed part single-storey / part two-storey rear extension and new porch.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The proposal is to;

1) Construct a rear single and two storey extension projecting 4.5 metres from the primary rear elevation behind the entire exiting built form (6.7 metres in width). The two storey hipped roof element would have a ridge 0.9 metres lower than main dwelling roof height.

The single storey extension element would project 4.5 metres from the primary rear elevation replacing an existing 2.5 metre long conservatory on the western boundary with the neighbouring semi detached house 113. Adjoining this single storey element would be a two storey element set back 1.9 metres from the shared boundary with the neighbour at 109 of an adjacent pair of semis. The site of the two storey element is currently occupied by a single storey single storey outbuilding abutting the boundary line..

2) Construct a porch with a projection of 1.575 metres from the front elevation, a width of 2.915 metres and a height off 2.9 metres with a hipped roof at an eaves height of 2.4 metres. The lean to porch roof would stretch across the entire front elevation.

The materials are intended to match the existing dwellinghouse other than the flat roof and rooflight on top of the ground floor extension.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council

Objection on the following grounds;

Proposal contrary to policy D DM4 as it would cause adverse overshadowing, overlooking or overbearing

effect on neighbouring properties.

Overbearing profile of extended property when viewed from the the twitten (footpath) adjacent to the property.

An email in response to the Parish Council objection and in support of the application was received from the agent which expressed the view that overshadowing, overlooking and overbearing effects on neighbouring properties would be acceptable and that the adjacent neighbours views had been taken into account as part of the design process.

The agent also disputed that the extension would be visible form the nearby twitten and provided a number of examples of nearby similar extensions at 24, 48 and 80 Roundstone Drive.

The adjacent neighbours were approached during the site visit by the Planning Officer and made no verbal or written objections to the scheme.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

WITHIN BUAB

DEVELOPMENT PLAN POLICES

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

SDSP2	SD SP2 Built-up Area Boundary
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 5

Design in Character Area Four

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

EPDS	East Preston Village Design Statement
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CONCLUSIONS

The proposed development would be located within the urban area where the principle of development is considered acceptable in accordance with policy SD SP2 of the Arun Local Plan subject to other relevant policies within the Local Development Plan which in this case include;

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 1 of the East Preston Neighbourhood Development Plan (EPNDP) 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 5 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals within Character Area Four. These are to preserve the present street scene which features low walls and open front gardens. The construction of higher front garden walls should be resisted.

The East Preston Village Design Statement predates and underpins the guidance in policies 1 and 5 of the EPNDP .

Design and Visual Amenity

The proposed one and two storey rear extension is located to the back of the semi detached property and will not have a significant impact on the street scene, character or spatial pattern of the area. It is not accepted that the proposal will have significant impact on public views from the twitten which is approx. 40 metres away to the east of the built form and has 2 metre fences lining either side of the pathway. In addition the properties in this area have 20 metre long rear gardens such that a large extension such as is proposed can be accommodated and would be in scale with built development in the locality.

The proposed porch and front verandah style roof is sympathetic to the existing dwelling being constructed of a shallow hipped roof as is the existing porch. Within the existing streetscene on neighbouring semi detached properties there are a number of different styles of porch such that the one proposed would not appear out of character.

A further element of policy D DM1 is the concept of adaptability and high quality design. The proposed extension does allow for adaptability of the property and the proposed extension would make a high quality and desirable size and type of dwellinghouse adding to the quality of the overall housing stock in the area.

The materials of construction are proposed to match the existing dwellinghouse.

The proposal does not contravene any of the policy stipulations within policy NEEP 1 and NEEP 5 of the East Preston Neighbourhood Plan & the East Preston Village Design Statement (p.16) and is considered to comply with policies D DM1 and D DM4 with respect to design and visual amenity.

Residential Amenity

The key issue in this application is the impact of the rear single storey extension on the neighbouring semi detached property, 113 Roundstone Drive. The single storey extension would project 4.5 metres with a flat roof of 3 metres in height. The Council uses the 45 degree rule to assess the impact of proposed extensions in terms of loss of light and overbearing impact upon neighbouring habitable room windows by measuring the angle from the centre of the affected window. The neighbours at 113 have double patio doors closest to the shared boundary. The proposed ground floor extension would intersect the 45 degree line and would be at approximately 60 degrees to the affected window. This does not accord with this informal rule however the rear elevations of the properties are north facing and therefore there would not be a significant loss of sunlight, the patio doors are already affected by an extension on the host property such that the additional overbearing impact and loss of light is not considered significant given the existing situation.

The neighbouring property at 113 has made no objection to the proposal and given that under permitted

development rights, notification for a larger home extension, an application could be made for the single storey element and receive approval if no neighbour objection was received for an extension of the propose size (or larger up to 6 metres in length) this tilts the balance toward approving the application on residential amenity grounds.

The two storey element of the extension would comply with the 45 degree rule with respect to no. 113 Roundstone Lane.

The impact of the two storey extension on 109 Roundstone Lane is considered acceptable in terms of privacy, overbearing impact and loss of light as it would comply with the 45 degree rule from the closest habitable room windows. The closest windows to the shared boundary are a secondary fenestrated door and an obscure glazed bathroom window at first floor level. The two properties side elevations are separated by 5 metres which makes the proposed two storey element on the east side of the building acceptable in terms of residential amenity.

The properties that face the rear elevation of the applicant's property are in excess of 40 metres away and are not considered to suffer significant impacts

The front porch and verandah roof would not cause any significant impacts in terms of overshadowing or overbearing impact on the adjoining semi detached property due to their limited mass and scale.

The proposal will have an impact on the residential amenity of neighbouring properties however the impacts are not considered to be so significant as to warrant a refusal of the application on that ground and it is considered to comply with policy D DM1 and D DM4 of the Arun Local Plan in this respect.

For the reasons given above the proposed development does not conflict with policy within the Local Development Plan consisting of Arun Local Plan, East Preston Neighbourhood Plan and 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

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 Location, Block & Site Plans, Plans and Elevations Dwg.no. 1397/PL01 Rev A dated Nov 2018.

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 materials and finishes of the external walls and pitched roofs of the front and rear extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 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.