

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

REF NO: EP/17/15/HH

LOCATION: 19 Selborne Way
East Preston

PROPOSAL: Front, side & rear extensions (resubmission following EP/112/14/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 1600 square metres.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Largely open to the front but with trees in the centre of the lawn at over 2m in height. There is close boarded fencing at approximately 1.8m in height and trees in places to the rear at over 3m in height.
SITE CHARACTERISTICS	A two storey detached property with brick and tile hung elevations. The roof is pitched with plain roof tiles. There is an integrated double garage.
CHARACTER OF LOCALITY	Predominantly residential in character with mainly two storey detached properties in the area.

RELEVANT SITE HISTORY

EP/112/14/HH	Alter the existing dwelling by providing a double height front entrance extension (West elevation), first floor extension above & behind existing garage (North & East elevations) & ground floor extension to the rear (East elevation).	Refused 10-09-2014
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Planning application EP/112/14/HH sought planning permission for the alteration of the existing dwelling through the provision of a double height front entrance extension; first floor extension above & behind the existing garage; and ground floor extension to the rear. This application was refused as the proposal was deemed to be in conflict with policy GEN7(ii) and DEV19(i) and (ii) of The Arun District Plan.

REPRESENTATIONS

Representations received:

East Preston Parish Council

The Planning Committee of this Council considered this application at its meeting on Monday, 9th March.

The committee agreed it would raise no objections to this Application. However, the committee was concerned at the proximity of the proposed development to the boundary, being less than 1 metre away.

2 x letters of objection:-

- *The proposed development is not in keeping with the character of the road.
- *The proposed extensions are out of scale with the existing property.
- *The size and height of the proposed side extension would be overbearing.
- *The proposal is in conflict with the policies of the East Preston and Kingston Neighbourhood Plan and the draft Arun Local Plan.
- *The proposal is in conflict with the Neighbourhood Plan as the alterations are not in keeping with the original house and do not harmonise with other buildings in the road. The materials should harmonise in colour and texture with those in adjoining buildings (Paras 4.12 and 4.16 EPNP)
- *The proposal is in conflict with policy D DM4 of the draft Arun Local Plan as the alterations do not sympathetically relate to the existing house and are not visually integrated with it.
- *The proposal is in conflict with para. 13.4.4 because the altered house does not respect its surroundings.
- *The proposed front porch would be overbearing in the street scene.

Comments on Representations received:

Comments from the Parish Council are noted.

In response to the 2 x letters of objection:-

- *Selborne Way and the Willowhayne Estate feature properties of various designs and styles and as such the proposal is not deemed to conflict with the established character of the road.
- *The proposed extensions are large. However, the proposed side extension has been reduced in size since the earlier submission under reference EP/112/14/HH.
- *A condition can be used to ensure the materials and finish of the building harmonises with other buildings in the road in terms of colour and texture.
- *The proposed front porch has been reduced in scale from the earlier submission under reference EP/112/14/HH and is far less dominant within the street scene.
- *Concerns in relation to policy will be examined in greater detail in the Conclusion of this report.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u> <u>GEN7</u> <u>DEV19</u>	Built-up Area Boundary The Form of New Development Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design SD SP2 Built-Up Area Boundary
East Preston Neighbourhood Plan 2014 Policy 1		Housing and General Principles
East Preston Neighbourhood Plan 2014 Policy 2		Design in Character Area One

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

EPDS	East Preston Village Design Statement
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POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications.

Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton, The East Preston Neighbourhood Plan has been made and policies 1 and 2 are considered relevant to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19as well as Policy 1 and Policy 2 of the East Preston Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The application seeks planning permission for the construction of first floor extension over the existing garage; two storey and one storey rear extensions; and a 1.5 storey front extension. This application is a resubmission following the refusal of planning application EP/112/14/HH.

The side extension has been altered from the earlier proposal and has been stepped down from the existing ridge height and stepped back from the primary elevation, as such the concerns raised in relation to this aspect of the proposed development have been addressed by the applicant. Similarly, the proposed porch has been altered and is no longer deemed to have a harmful visual impact upon the form of the dwelling in the street scene.

However, given the combined footprint and form of the proposed extensions, to the rear and side, in comparison to the original dwelling they are not deemed to be subservient and are therefore in conflict with Policy DEV19 (ii) of the Arun District Local Plan.

The materials proposed to be used on the elevations of the property will be altered from their current appearance with the addition of cladding at first floor level and rendering at ground floor

level. These proposed materials are deemed to be acceptable given the established character of the area which features various materials and finishes. However, it is proposed that a condition is included to ensure that the colour and finish of the materials used is in keeping with Policy 1 of the East Preston Neighbourhood Plan, specifically paragraph 4.13.

The proposed alterations to the dwelling are not deemed to be in conflict with the established character of the area - Selborne Way and the wider Willowhayne Estate features large properties of various designs and styles. As such, the proposed extensions in this application are deemed to be in accordance with Policies GEN7(ii) and DEV19(v) of the Arun District Local Plan as well as Policy 1, paragraph 4.11 and 4.14 of the East Preston Neighbourhood Plan. It is also considered that the proposed works are in compliance with Policy 2 (i) of the East Preston Neighbourhood Plan as the proposed alterations are deemed to be proportionate to the plot size in accordance with paragraph 4.25 as well being in accordance with paragraph 4.26.

The majority of the proposed works are located to the rear of the dwelling with only the first floor side extension and alterations to the roof and addition of the porch being visible within the street scene. This ensures that the extensions do not unbalance the appearance of the dwelling or appear out of keeping with the other properties on the road. As such, this aspect of the proposal is deemed to be in accordance with paragraph 4.16 of the East Preston Neighbourhood Plan.

RESIDENTIAL AMENITY

The two storey extension over the garage and to the rear will be situated approximately 1.1m to the northern boundary. However, this is considered acceptable the staggered layout of No. 17 and the dense tall tree screening over 3m in height in this area of the site. To the south and the property of No. 21, there is an acceptable separation distance of over 5m and with hedging in places along the southern boundary which will mean that there are no harmful overbearing or overshadowing effects or any harmful overlooking or loss of privacy.

It is therefore considered that the proposal complies with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

CONCLUSION

Given the above it is recommended that the application is approved subject to the conditions below.

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 for 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 no impacts have been identified upon any 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: Site Location and Block Plans - 412/06 A; Proposed Floor Plans - 412/03 A; Proposed Elevations - 412/04 A; and Existing and Proposed Roof Plans - 412/05.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the approved development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by

endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.