

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

REF NO: EP/183/18/HH

LOCATION: 11 Michel Grove
East Preston
BN16 2SX

PROPOSAL: Two storey side extension to include a double garage, single storey rear extension, single storey front extension & altered vehicle access to the property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a two storey side extension, which will be used as a double garage at ground floor level. It also seeks to construct a single storey rear extension, and a front boundary wall.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

East Preston Parish Council

Parish Council - No objection

- Concerns relating to the proximity of the extension to the Western boundary, and the height of the front wall.

East Preston and Kingston Preservation Society - Objection

- The block plan is to a small scale.
- There are no floor plans.
- The plans conflicts with the application form about the materials.
- The window and balcony at the rear would overlook the neighbouring dwelling.
- The enlarged house is too large for the site.

3 letters of objection (one letter of complaint to Parish Council):

- The side extension is built hard against the boundary, as such, the street scene will be of semi-detached houses rather than detached.
- The site is small.
- There is a single garage, no need for a double.
- No need for more rooms.
- The balcony on the rear invades the privacy of neighbouring dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

[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)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

East Preston Neighbourhood Plan 2014 Policy 1	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

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 & 2 of the East Preston Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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 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 2 of the East Preston Neighbourhood Development Plan sets out the criteria for development within Character Area One. These ensure that proposals preserve the character of the street scene, and resist any increases in density that would alter this character. It also seeks to avoid apartment block development, and protect the view from the beach.

DESIGN AND VISUAL AMENITY

The proposed single storey extension is not visible from the street scene, as a result of its siting, and the siting of the dwellinghouse. It has a low ridge height, and is considered to be a sympathetic and subservient addition to the host dwelling. Therefore, this element of the application is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

The proposed two storey side extension is situated to the Western aspect of the host dwelling, and measures 6.7m at its maximum height, extending 6.8m from the Western wall of the host dwelling. Policy 2 of the East Preston Neighbourhood Development Plan sets out the criteria for development within Character Area One, it seeks to preserve the character of the street scene, and resist any increases in density that would alter this character. The proposed two storey side extension is considered to be in direct conflict with this policy, this is because the extension has a significantly harmful impact on the spatial pattern of the locality. The spatial gap that it fills allows only an (approximate) 0.6m gap between the proposed development and the site boundary, then a further 1m to the adjacent property, this conflicts with D DM4(d) of the Arun Local Plan. This is because the overdevelopment of the host dwelling is considered to create the appearance of terraced/semi-detached dwellings, as opposed to detached dwellings within their respective residential plots. The scale and design of the proposed development, along with its uncomfortable siting is considered to cause the extension to appear inharmonious with the host dwelling. Therefore, the proposed extension is considered to have a detrimentally harmful impact upon the character of the host dwelling and its locality. The proposed two storey extension is considered to be in conflict with D DM1 and D DM4(a) of the Arun Local Plan. Additionally, it is considered to be in direct conflict with Policy 2 of the East Preston Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly overbearing impact upon the residential amenities of neighbouring dwellings. This is as a result of the siting of the development within its residential plot. Whilst the two storey side extension is sited in close proximity to the Western boundary, as a result of the aspect of the development, it is not considered to provide any unacceptable overshadowing impact on the occupiers to the West. It is noted that the proposed two storey side extension features a Juliet balcony on its rear elevation, which is considered to, as a result of the angle of the proposed development and its proximity to the boundary, provide direct views into the rear garden enjoyed by the adjacent dwelling to the West. Therefore, it is considered that the proposed development is in conflict with policies D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to conflict with relevant development plan policies and as such is recommended for refusal subject for the following reasons.

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

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

REFUSE

- 1 The proposed development by virtue of its siting, design and scale will have an incongruous impact upon the character and appearance of the area in conflict with policy D DM1 and D DM4(a) of the Arun Local Plan and Policy 2 of the East Preston Neighbourhood Plan.
- 2 The location and close proximity of the proposed Juliet balcony will lead to an unacceptable level of overlooking of the garden of No.9 Michel Grove in conflict with policy D DM1(3) and D DM4(c) of the Arun Local Plan.
- 3 **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.