

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

REF NO: EP/20/19/HH

LOCATION: 25 Myrtle Grove
East Preston
BN16 2SW

PROPOSAL: Demolish existing sunroom, lean to canopy, and partially demolish existing garage. Erect side and rear extensions including replacement garage. Alterations to fenestration and external materials. Create additional access to private road for 'in and out' driveway.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The proposed development seeks to demolish the existing sunroom, lean to canopy, and partially demolish the existing garage. It also seeks the erection of side and rear extensions, including a replacement garage, alterations to fenestrations and materials. There will also be the creation of another road access, to create an 'in and out' driveway.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council
Parish Council - No objection.

1 letter of objection received:

- The proposed Eastern extension will overshadow the property to the North.
- The quality of life of the neighbour to the North will be impaired.
- The traffic increase as a result of the new driveway will be significant.

OFFICERS COMMENTS ON REPRESENTATIONS:

The proposed development is considered to be sited an acceptable distance from the neighbouring dwelling in order to not have any significant overshadowing on this site. The proposed alteration to the access is not considered to result in any significant increase in traffic within the locality, additionally, W.S.C.C Highways have no objection to the application.

CONSULTATIONS

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

W.S.C.C Highways -

The Local Highways Authority do not consider that this application would have a 'severe' impact upon the

operation of the Highway network, and that there are no transport grounds to resist the proposal

They requested the following condition:

Car parking must be constructed in accordance with the approved site plan and must be completed within 6 Months of property construction completion. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

OFFICERS COMMENTS ON CONSULTATIONS:

Whilst the LHA's comments are noted, the proposed condition is not considered to be necessary, as the proposed site plan will become an approved plan, and therefore it must be implemented.

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 2](#) Design in Character Area One

East Preston Neighbourhood Plan 2014 Policy 1 Housing - General Principles

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,

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

Due to the nature of the application, its features will be addressed in this report as to the aspect of the development they affect.

The proposed development to the Northern elevation is considered to be an acceptable alteration to the host dwelling. This is because it is a reduction away from the street scene of what is existing, and the design merit of a pitched roof is considered to appear as a more attractive feature in this location, as opposed to the existing flat roofed garage.

There are very few available views of the proposed Eastern elevation from the street scene, as a result of its siting at the rear of the host dwelling. As such, it is not considered to have a significantly harmful impact upon the established spatial pattern or character of the locality. Whilst its considerable scale is noted, it maintains a ridge height lower than the host dwelling, albeit by 0.15m. Resultant of this, and the slope angle matching other elements of the proposed development.

The Southern element of the proposal, due to its siting, is visible from the street scene. Whilst the proposal is considered to compromise a change to the appearance of the host dwelling, it is not considered to have a significantly detrimental impact on the character of the host dwelling. This is as a result of its design allowing the proposal to not appear as a prominent and obtrusive feature. Additionally, due to its configuration, the proposal retains a distance of 1.74m from the Southern boundary which is considered to prevent an unacceptable terracing effect being created. Resultant of this, and its design, the proposed development is considered to appear well integrated with, and subservient to the host dwelling. This is considered to allow this element of the proposal to have no significantly harmful impact upon the character of the locality, or the host dwelling.

The alterations to the fenestration are particularly prominent on the road-facing Western elevation of the host dwelling. This also includes the addition of the porch. These alterations are not considered to have any detrimental impact upon the character of the host dwelling, or its locality. The porch is of a modest scale, with an light, open construction (as the road facing elevation uses posts, not masonry). Additionally, the change of the bay window roof from flat-roofed to pitched is considered to complement the other alterations proposed on the host dwelling. The locality is populated by dwellings of mixed designs and scale, therefore, the proposed alterations are not considered to result in a dwelling that appears out of keeping with the locality.

The proposed development is considered to be in accordance with D DM1, D DM4(a), (b), (d) and (e) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly harmful impact on occupiers of neighbouring dwellings, by way of overshadowing, or overbearing. This is primarily as a result of the separation distance from the development, to adjacent dwellings. The proposed extension is sited approximately 1.74m from the dwelling to the South, and is not considered to cause any significant loss

of light to any principal rooms, this is also due to the aspect of the host dwelling, and its relationship with the neighbouring dwelling. The proposed alterations to the roof of the garage result in a 2m height increase, causing the garage to reach a maximum height of 4.3m. However, the eaves height only increases by approximately 0.1m, which is not considered to result in any significant impact on the residential amenities of the adjacent neighbour to the North, especially given the 0.94m separation distance. Additionally, the proposal features no windows on its Southern elevation that would be considered to cause any significant overlooking into adjacent properties. It is noted that whilst there are windows on this aspect, they are all high level, and therefore will not provide views that result in a loss of privacy. There are two North-facing windows which could result in overlooking, however, it will be conditioned to ensure that these are obscure glazed and fixed shut up to 1.7m.. Therefore, the application is considered to be in accordance with D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such 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

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:

- Location Plan - 18114 - 101 - 12/02/2019
- Block Plan - 18114 - 102 - 12/02/2019
- Proposed Site Plan - 18114 - 104 - 13/02/2019
- Proposed Plans - 18114 - 403 - 16/01/2019 - Rev. D
- Proposed Elevations - 18114 - 503 - 16/01/2019 - Rev. D

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 windows at first floor level, on the Northern elevation of the building shall at all times be glazed with obscured glass and fixed to be non-opening, below 1.7m, in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 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.