

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

REF NO: EP/2/21/HH

LOCATION: 27A Sea Lane
East Preston
BN16 1NH

PROPOSAL: Erection of front extension to create first floor balcony, erection of rear Juliet balcony, demolition of existing conservatory with changes to external materials and wall finishes.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to demolish the existing conservatory to replace with a front extension to create a first floor boundary, a rear Juliet balcony and change the external materials and wall finishes.
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It should be noted that during the application process substitute plans were submitted which removed a full rear balcony to replace with a rear Juliet balcony.

REPRESENTATIONS

East Preston Parish Council - Objection.

- The proposed rear balcony will result in overlooking.
- The front balcony would not be in keeping with the other properties in the area.
- The slate tiles are not in keeping with the locality.
- The materials do not harmonise in colour to those of adjoining buildings.

East Preston & Kingston Preservation Society- Objection.

- The rear balcony would overlook nearby gardens.
- There are no examples of slate tiles along Sea Lane.

13 letters of objection:

- The balcony will result in a loss of privacy to nearby gardens and into dwellings.
- The proposal will look into an annex in the grounds of the neighbouring dwelling.
- There is potential for noise disturbance.
- The North elevation dominates the neighbour to the North.
- The proposed materials will appear stark and confusing.
- There has not been a drainage assessment of the site.
- The roof extension would overbear neighbouring occupiers to the North.
- There are no examples of first floor balconies.
- A material change is taking place.
- The proposal could become a holiday let.
- The proposal coming forward of the building line.
- There may be a loss of property value.
- No screening should be planted.

1 letter of support:

- The substitute plans remove the full rear balcony.
- The revised plans look lovely.
- The houses in the area all are different.

Letter of support from applicant:

- The house will be used as a private residence only.
- The balcony will not be used to nose on the neighbours.
- The balcony will provide the same views as the rear windows.
- The property does not resemble the neighbouring property as existing.
- The property as existing is ugly.
- The proposal updates the property to a more modern style.

OFFICERS COMMENTS ON REPRESENTATIONS MADE:

Comments noted. The majority of comments will be addressed within the conclusion section of the report. The full balcony has been removed from the application to be replaced with a Juliet balcony. A drainage report is not considered to be necessary given the extent of the proposal, however, it will need to accord with Building Regulations. Property value is not a planning consideration. The proposal has not been applied for as a holiday let and as such it is not a consideration of the application.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within 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)
DSP1	D SP1 Design

[East Preston Neighbourhood Plan 2014 Policy 1](#) Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 4 Design in Character Area Three

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and Policy 4 of the East Preston Neighbourhood Development 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 4 of the East Preston Neighbourhood Development Plan seeks to ensure that development within Design Area 3 sustains and enhances that historic character of the area, through the use of building materials that harmonise with the existing building. Also, it seeks to preserve boundary walls, and restrict and control the construction of apartment blocks.

DESIGN AND VISUAL AMENITY

The application site is populated by a two storey, chalet bungalow. The bungalow is set back within the plot by approximately 14.9m. The locality is populated by a wide variety of dwellings, with regard to their design, siting and scale. As such, the area is considered to have a mixed character, with no uniform spatial pattern or building line. The proposed development seeks to change the materials of the host dwelling to use oak cladding and slate tiles. These materials are not commonplace within the area, however as mentioned previously the area is considered to have no consistent character and therefore the introduction of these new materials is not considered to result in a harmful impact.

The proposed extension seeks to perform a 1.5m first floor front extension in order to create a front balcony. As a result of this siting, the proposal will be visible within the street scene, and will result in a change in appearance of the host dwelling. However, this alone does not prescribe refusal of the application, as it has to be established that the proposal would result in a harmful impact upon the character of the host dwelling or its locality. The proposed extension is considered to be a well integrated extension to the host dwelling as a result of the ridge height and the eaves height matching those of the existing roofs form. Furthermore, whilst the presence of a front balcony is not a common feature within the area, the proposal is considered to be of a good design and have no harmful impact upon the variety character of the locality.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. The proposed extension projects from the front of the host dwelling by 1.5m, the separation distance from the Northern and Southern boundaries of the application site are approximately 2.5m and 1.8m respectively. As result of these significant separation distances, the proposed extension is not considered to result in any harmful overbearing impacts upon the neighbouring occupiers.

The proposed development is not considered to result in any loss of privacy to occupiers of nearby dwellings, as it is considered that the proposed openings provide the same views as those available from the host dwelling at current. The proposed front balcony creates an area for standing within the roof projection, and therefore the views will be towards the West exclusively, with only oblique views of neighbouring dwellings available. The same can be said for the rear Juliet balcony, as the views from this

balcony are considered to be the same as from the existing openings on this rear dormer.

The proposed development is considered to be in accordance with D DM1(3) and 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:

- Proposed Plans, Elevations, Roof Plan and Site Block Plan s- 1282.02.b - 05/01/2020

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 **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.