

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

REF NO: EP/33/22/HH

LOCATION: 24 Elm Avenue
East Preston
BN16 1HL

PROPOSAL: Erection of single storey front extension to create attached garage and installation of front porch canopy following the demolition of existing detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey front extension to replace a detached garage and create an attached garage. It seeks to construct a front porch canopy extension. The front extension is to be approx. 9.7m in depth, 6.8m in width and 3.2m in height. The front porch canopy is proposed to be approx. 1m in depth, 2.7m in width and reach a peak height of approx. 3.5m.

REPRESENTATIONS

East Preston Parish Council - Objection:

- The site is in an Area of Special Character and the proposal projects too far in front of the established building line.

OFFICER COMMENTS ON REPS

Whilst the front extension would project further forward than the front building line of Nos. 20 & 22 Elm Avenue, the building line of the street is not entirely uniform. This projection would be a minor disruption of the somewhat regular but already disrupted building line. Extensive boundary treatment to the front and side (North & East) elevations would conceal the front extension. There may be some minimal views of the top of the extension cresting the boundary treatment however, this would not give rise to any significant adverse visual impacts on the street scene and it is not considered grounds for refusal.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Area of Character.

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 2	Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
EPDS	East Preston Village Design Statement

CONCLUSIONS

PRINCIPLE

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 D SP1 of the Arun Local Plan regards the design of new development and states that it should be informed by sustainable design and should reflect the characteristics of the existing site and the locality in which it is situated. These characteristics include layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details.

Arun adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. Section M illustrates the 45 degree rule. This refers to 45 degree light accessibility lines from neighbouring viewpoints and aims to prevent adverse obstruction of and loss of sunlight. Section M also sets out principles for front extensions and porches that are relevant to this application.

Policy 1 of the East Preston Neighbourhood Development Plan (EPNP) 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 (EPNP) 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.

NPPF paragraph 203 regards Non-designated Heritage Assets. It requires a balanced judgement to be made regarding the harm or loss, if any, of the significance of the Heritage Asset. This consideration and judgement can be found in the report below.

Areas of Character are Non-Designated Heritage Assets. Policy HER DM4 states planning permission will be granted to proposals that preserve or enhance and also, retain buildings and features that provide a positive contribution to the special the special character of these areas.

DESIGN AND VISUAL AMENITY

There are two components in this proposal - a front porch canopy and a front garage extension.

The front porch canopy is approx. 1m in depth, 2.7m in width and features a pitched roof design that reaches a peak height of approx. 3.5m with eaves at 2.3m. The roof pitch and visual design are matching to other prominent features on the front elevation. It is to consist of materials that match those found on the existing dwelling. The scale and design of this component are such that it is visually subservient, integrated, and sympathetic to the host dwelling and as such, is appropriate. It would be visible from the street and have a positive visual impact on the street scene.

The front extension would replace a detached garage, encompassing the existing garages footprint, infilling the space between the dwelling and the existing garage and projecting approx. 1.7m further to the front of the property. It is proposed to be approx. 9.7m in depth, 6.8m in width and 3.2m in height, featuring a flat top roof with pitched eaves at a height of 2.3m.

The scale of this development is large however, the dwelling is large in scale and the majority of the built form is already present. The scale of the garage is such that it is not visually subservient to the host dwelling however, large garages are a common feature in the locality and it is not out of character in the locality and is not grounds for refusal. The design is visually integrated with the dwelling, with materials that match the dwelling and a roof design with a pitch which matches prominent features on the front elevation.

The proposal would project approx. 1.7m further to the front site boundary but remains set back from the front site boundary by approx. 5.16m from the front site boundary. It would be almost entirely concealed by the front and side (North & West) boundary treatment which features a boundary fence and a substantial coverage of trees and shrubbery. This component will not have any adverse visual impact on and would preserve the street scene.

Section M of the Arun Design guide states that front extensions should respond to existing features on the front elevation which both the front canopy and front garage extension do. It also goes on to state that front extensions should not project further than 1.5m off the front elevation and those which do not are unlikely to be acceptable. The front canopy complies with this depth but the front garage extension does not. Although, front attached garages of a similar scale can be found within the locality and as such, this component is within justifiable contradiction to this guidance.

The proposal is either compliant with, or in justifiable contradiction to policies D DM1, D DM4 & D SP1 of the Arun Local Plan and Policy 1 & 2 of the EPNP. Additionally, the proposal is compliant with, or within justifiable contradiction to, Section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

This street is characterised by large detached dwellings. Being sited at the end of the street, the only neighbour dwelling susceptible to impacts of residential amenity is No. 22 Elm Avenue.

The scale and siting of the front porch canopy is such that it would have no adverse impacts by way of overbearing, overshadowing or overlooking onto any neighbour dwellings.

The scale and siting of the front garage extension is such that there are no intersection of 45 degree light accessibility lines at the front of No. 22 Elm Avenue. The separation distance between the front extension and the dwelling at No.22 and low building height are factors that prevent adverse impacts by way of overbearing and overshadowing. Additionally, views of the proposal from the front of No.22 are also obstructed by a detached front garage site to the front of No.22.

There are no new viewpoints associated with the proposal and as such, there no adverse impacts by way of overlooking.

By virtue of not being overbearing, overshadowing or overlooking onto neighbouring properties, the proposal is compliant with relevant development plan policies D DM1(3) & D DM4(c) of the Arun Local Plan.

HERITAGE ASSET

The site is in an Area of Character which is described to have a regular building line. Though this may be the case for large sections of the designated area, this street is short with 4 No. dwellings on the South side of the street and does not possess a uniform building line. This dwelling is at the end of the street and its 2 No. neighbours to the West do share a somewhat regular building line. This building line is disrupted by detached garages at No. 18 & 22, and the original dwelling at No. 18 is set back significantly from the building line. The building line in this street is not uniform and can be considered irregular. This disruption is not grounds for refusal and would not result in a loss of or demonstrable harm to the Non-Designated Heritage Asset.

The proposal does not result in the loss of any buildings or features that contribute to the special character of the area and therefore, it is compliant with policy HER DM4 of the Arun Local Plan.

SUMMARY

The proposal is compliant with relevant Development Plan Policies and as such, is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL Liable.

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:

- Existing and Proposed Plans and Elevations (Dwg No. 1321.03.b).

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.