

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

REF NO: EP/3/19/HH

LOCATION: 15 Hillview Crescent
East Preston
BN16 1RD

PROPOSAL: Retention of rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed development seeks to retain a single storey rear extension.

RELEVANT SITE HISTORY

EP/149/08/ Conservatory to west elevation. ApproveConditionally
12-01-09

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby properties.

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

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 & 3 of the East Preston Neighbourhood Development Plan apply.

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 3 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals within Character Area Two.

These are to ensure that a consistent low building height is protected, with no more than 1.5 storeys. Additionally, it ensures that where new rooms are to be created in a roof space, the height and the basic form of the roof will not be altered.

DESIGN AND VISUAL AMENITY

The proposal is situated at the rear of the host dwelling and resultant of this, there are no available views of this extension from the street scene. As a result of this, the proposed development is not considered to have a significantly detrimental impact on the established character of the area, or its spatial pattern.

The proposed development is considered to appear subservient and well integrated with the host dwelling, resultant of its modest scale, allowing for an extension that appears sympathetic to the established character of the host dwelling.

The proposed development is considered to be in accordance with D DM1(2), D DM4(a) and (b) of the

Arun Local Plan in terms of design and visual amenity. Additionally, it is deemed to be in accordance with Policy 3 of the East Preston Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to cause undue levels of overshadowing towards neighbouring properties, nor appear overbearing. This is because the extension is situated beyond the rear addition as previously approved and is set against the edge of the furthest elevation closest to No.11a to the south. By virtue of the distance from boundaries the structure does not appear to have a significant impact on overshadowing, or loss of light to adjacent dwelling at no.11a Hillview Crescent (the most immediate neighbour).

The proposed development is deemed 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:

Location, block, proposed floor and elevations Plans.

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 materials and finishes of the external walls, roof and joinery of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 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.