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

REF NO: EP/42/26/HH

LOCATION: 3 Tamarisk Way
East Preston
BN16 2TF

PROPOSAL: First floor rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

East Preston Parish Council - No objection.

No representation received from neaby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within Built-Up Area Boundary.
CIL Zone 4.
Within 200m Mean High Water.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

East Preston Neighbourhood Plan 2014 Policy 1 Housing - General Principles

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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

CONCLUSIONS

DESIGN AND VISUAL AMENITY
The site contains a detached two-storey dwelling with outbuildings to the rear. This application seeks planning permission for a first-floor rear extension which would enclose the existing rear balcony. The works would not be visible from the street scene.

The proposed first-floor rear extension would measure 4.4m in depth and 5.1m in width and would not extend beyond the existing footprint of the balcony space it seeks to enclose. The eaves height would match the existing eaves height of 5.2m, while the maximum height would be 7.2m, set 0.9m below the ridge of the main roof. Although the extension would increase the overall massing of the dwelling, it would be sited to the rear and constructed using materials to match the host dwelling. It would therefore remain in keeping with the character of the host property.

The proposal would not result in harm to the character and visual amenity of the dwelling or the surrounding area, in accordance with Arun Local Plan policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY
Part M of the Arun Design Guide (ADG) states that householder extensions should protect neighbouring amenity in terms of privacy and overshadowing. Proposals should consider the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed first-floor rear extension would have a depth of 4.4m and would remain within the existing footprint of the building. It would not project further towards neighbouring properties or extend beyond the existing rear elevations of the neighbouring properties to the east and west. Furthermore, the rear extension would be substantially set in from the side boundaries, with a separation of at least 7.5m from the boundary to the west and 17m from the boundary to the east. It would therefore not result in harm to neighbouring occupiers. Accordingly, no overbearing or overshadowing impacts would arise as a result of the first-floor rear extension.

Fenestration is proposed within the flank and rear elevations of the proposed first-floor rear extension. This would provide views over the rear garden and towards the beach but would not be significantly different from the views available from the existing rear windows and balcony. Furthermore, the distances to the boundaries are such that the proposed fenestration would not result in additional overlooking when compared to the siting of the existing balcony.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4, as it would not result in unduly harmful impacts on neighbouring amenity by way of overbearing, overshadowing or overlooking.

SUMMARY
The proposed development is in accordance with the 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

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:

- Location Plan
- Block Plan BP/1
- Block Plan showing distances to boundaries BP/1A
- Proposed South Elevation PR/01
- Proposed Roof Plan PR/02
- Proposed West Elevation PR/03
- Proposed East Elevation showing extent of the affected area PR/04
- Proposed First Floor Plan PR/05

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.