

Recommendation Report for Planning Permission

REF NO: EP/43/26/PL

LOCATION: Green Willow Care Home
21-23 Vicarage Lane
East Preston
BN16 2SP

PROPOSAL: Ground floor alterations and extension within an internal courtyard. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site is a detached care home with a car park to the front. It has been extended and altered over time since the two link attached bungalows which originally occupied the site
CHARACTER OF LOCALITY	Residential, characterised by detached dwellings.

RELEVANT SITE HISTORY

EP/160/16/PL	Ground & first floor extensions to provide 6 No. additional ensuite bedrooms & extended residents communal facilities.	ApproveConditionally 01-03-17
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Relevant planning history noted.

REPRESENTATIONS

East Preston Parish Council - No objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within Built-Up Area Boundary
CIL Zone 4

DEVELOPMENT PLAN POLICIESArun 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)
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a ground-floor single-storey extension within the existing internal courtyard, as well as ground-floor alterations. The works would be constructed using materials to match the host dwelling.

The proposed new communal room would extend from the west elevation of the courtyard by 3.4m in depth and 5.6m in width and would have a flat roof with a maximum height of 2.7m. The existing conservatory dining room would extend a maximum of 1.8m into the courtyard, rationalising the elevation to create a straighter building line and more usable floorspace. One rooflight is proposed. The roof of this room would be replaced with a flat roof, at a maximum height of 2.7m, in line with the proposed roof of the extension. The works are sited internally and would therefore not impact the character or design of the host dwelling as viewed from the public real and built from matching materials to provide a subservient addition.

Alterations include new fenestration to provide access to the internal courtyard. Previously, the courtyard was accessible from only two sides; access from all four sides is now proposed. The alterations would not impact the character of the host dwelling and are therefore acceptable.

Overall, the extension would not harm the visual amenity of the existing building, nor would it compromise the character of the area. As such, the proposal is in accordance with Arun Local Plan policies D SP1, D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development would be sited within the internal courtyard and, as such, would not result in overbearing, overshadowing or overlooking impacts. The courtyard would retain an area of approximately 25sqm, compared with the existing area of approximately 48sqm. The landscaped garden to the rear would remain unchanged.

The proposal is in accordance with Arun Local Plan policies QE SP1, D DM1 and D DM4.

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 and Block Plan 260025/03
Ground Floor Plan and Courtyard Elevations Proposed 260025/02 Rev B

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 de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

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.