

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

REF NO: EP/47/19/HH

LOCATION: 11 Michel Grove
East Preston
BN16 2SX

PROPOSAL: Two storey side extension to include a double garage, single storey rear extension, single storey front extension and altered vehicle access to property

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a two storey side extension, which will be used as a double garage at ground floor level. It also seeks to construct a single storey rear extension, and a front boundary wall.
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RELEVANT SITE HISTORY

EP/183/18/HH	Two storey side extension to include a double garage, single storey rear extension, single storey front extension & altered vehicle access to the property.	Refused 29-03-19
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

Parish Council - Objection

- The extension causes the property to not remain in proportion to the rest of the site.
- The extension may compromise the established character and pattern of the locality.

East Preston and Kingston Preservation Society:

- The extension causes the host dwelling and its neighbour to appear as one.
- The extension is incongruous in a road of detached houses.

2 letters of objection (and submitted plans):

- The changes do not address the reasons for refusal.
- The applicants plans are incorrect.
- The proposed development would set a precedent that would result in the Estate becoming a shanty town.
- The proposal is out of character with the locality.
- There are too many bedrooms.
- The proposal could become a nursing home, or old peoples home.

- The overlooking aspect still remains, as the alterations can be removed.
- The applicant has not shown credible need for the extension.

1 letter of support:

- The proposal has been sensitively designed to reduce impact on adjoining properties and the street scene.

Agents letter of support:

- No additional bedrooms are proposed.
- The property remains as a single private residence, with no intention to convert to a commercial use.
- The street scene plan, and other plans, have been prepared following a full topographical survey.
- The plans prepared by the objector are inaccurate.
- The comments from the previous application have been addressed.
- The proposal is now 1.28m from the boundary, effectively doubling the distance.
- The rear facing windows will be obscure glazed.
- The application obscure glazes two windows which currently overlook the neighbour to the West.
- The dwelling sits comfortably in a generous plot.

Additional objection to support letter:

- The proposal could be changed to have 6 bedrooms.
- The objector does not believe that a significant amount of time has been taken to consider the site and how the proposed extension will work with its surroundings.
- The objector does not believe that the applicants plans are accurate.
- If approved, the application will set a precedent in the area.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. The majority of comments will be addressed in the conclusion section. The information derived from the submitted plans is sufficient to determine the application. Planning applications are determined on their individual merits, not by 'precedent'. If the application were to be approved, a condition would be added to ensure that the obscure glazing was retained in perpetuity. The applicant need not demonstrate 'need' for a proposed extension. Planning applications cannot restrict the internal layout of non-heritage asset buildings, therefore, this cannot be restricted via condition, although it should be noted that the plans show that the proposed development will not result in any additional bedrooms.

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
SDSP2	SD SP2 Built-up Area Boundary

[East Preston Neighbourhood Plan 2014 Policy 1](#)

Housing - General Principles

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 & 2 of the East Preston Neighbourhood Development Plan.

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 2 of the East Preston Neighbourhood Development Plan 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.

DESIGN AND VISUAL AMENITY

The proposed single storey extension is not visible from the street scene, as a result of its siting, and the siting of the dwellinghouse. It has a low ridge height, and is considered to be a sympathetic and subservient addition to the host dwelling. Therefore, this element of the application is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

The proposed two storey side extension has been amended, when compared to previous application EP/183/18/HH. The main design feature altered was the proposals width, and resulting distance from the Western boundary. The proposed extension is 1.28m from the Western boundary of the application site, this is a more comparable relationship between dwellings to those present in the area. The dwellings to the west of the application site show a similar distance, as now proposed, between side boundaries.

This distance is also considered to allow the host dwelling to retain its appearance as a detached dwelling within the street scene, which alleviates any significant harm of the proposed extension upon

the host dwelling, or its locality. The proposed development is considered to appear greater integrated with the host dwelling than the previously refused scheme, this is also helped by the proposed materials matching that of the host dwelling, and the extension having a ridge height 0.5m lower than the host dwelling. The proposed two storey extension is considered to be in accordance with D DM1 and D DM4(a) of the Arun Local Plan. Additionally, the aforementioned distance allows the proposed development to be in accordance with D DM4(d) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly overbearing, or overshadowing impact upon the occupiers of neighbouring dwellings. This is as a result of the siting of the development within the residential plot. Previously, there were concerns relating to overlooking as a result of a Juliet balcony on the rear of the side extension. This application addresses these concerns by replacing this rear balcony with windows, which are shown on the plans as being obscure glazed. A condition would be added to an approval in order to ensure that this was retained in perpetuity. Therefore, it is considered that the proposed development is 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 Floor Plans - 183010/02A - 15/04/2019 - Rev. A - 17/04/2019
- Proposed Elevations, Street Scene, Roof Plan and Block Plan. Elevation and Plan of propose boundary wall - 183010/03A - 17/04/2019 - Rev. A - 17/04/2019

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 and roof of the development hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.

- 4 The windows at first floor level in the Northern wall elevation of the proposed extension shall at all times be and remain glazed entirely with obscure glass, and be fixed to be non-opening, in perpetuity, below 1.7m.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.

- 5 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.