

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

REF NO: EP/48/21/HH

LOCATION: 2 Bay Tree Garden
East Preston
BN16 1JG

PROPOSAL: Erection of single storey rear extension and rear dormer following the demolition of existing garage and workshop.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The site is a detached single storey bungalow, in an area with mixed character. This application seeks permission for a rear dormer and single storey rear extension following demolition of an outbuilding.

REPRESENTATIONS

East Preston Parish Council:- Object .Possibility the proposal will result in an increased amount of overlooking of properties to the west of the site. The committee feels the materials may not be in harmony with the surrounding area in colour and texture.

Four letters of objection:

- Visual intrusion;
- Materials of the development is not in keeping with the host dwelling;
- Rear dormers would cause overlooking and loss of privacy;

Officer response:

- A dormer of the same size could be built under permitted development and therefore it does not warrant refusal on impact of overlooking.
- Materials proposed (roof tiles) to match with host dwelling / timber cladding is common material used for dormer extensions.
- There are number of similar developments in the local vicinity and no harm to visual amenity such that refusal could be justified is caused.
- In terms of overlooking, orientation of the dwellings sited at the rear of the site and along with overall height of the dwelling(application site); the proposal does not give arise to significant overlooking in the private amenity space. Overall to safeguard the amenities planning condition has been recommended for obscure glazing.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built up 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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. East Preston has a made Neighbourhood Plan and policy NER1 has direct relevance to this application.

DESIGN AND VISUAL AMENITY

As a result of the extent of the development, the increase of the ridge height of the host dwelling does not have an adverse impact on roof profile or rhythm of the adjoining dwellings. The adjoining dwelling No 1 Bay Tree Garden, the roof profile appears to be higher in comparison to the site. Also, application site form part of compact residential area and properties sited on the Bay Tree Close, all vary in terms of overall height of the existing bungalows. Therefore marginal increase in ridge height by 0.5m is not likely to create unbalance in the visual appearance.

The rear dormers could be built under the provisions of permitted development. The two rooflights in the front elevation are set within the roof profile. The dormer extension in terms of design and size conflicts with Arun's Design guide part M which favours small scale roof extensions. The total allowance on the roof extension with hip to gable extension is 50 cubic metres under PD regulations. However in this case applicant has not chosen to alter the roof from hip to gable and instead increasing ridge height marginally to add rear dormers.

The locality is of a reasonably mixed character and there are examples of similar developments on Bay Tree Close and within the local vicinity. Taking account of the existing pattern of development in the immediate locality, the proposal does warrant refusal. The rear dormers would be located at the rear of the dwelling no harm to the visual amenity.

The single storey extension would be built on the existing footprint of following demolition of the existing outbuilding. The extension would not be visible for the public domain. The single storey rear extension would have a lesser impact on the appearance of a dwelling or street scene. The development accords with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The single storey extension would be sited adjacent to the boundary with the adjoining property. The

layout of the extension contradicts Part M of the Arun Design Guide in terms of size, scale and position. The proposed extension is only being permitted based on the existing outbuildings which is in situ adjacent to the boundary and next to the host dwelling. The footprint of the extension would match the existing outbuilding; however the height on the northern boundary appears to be slightly higher than the outbuilding. The height is not significantly higher to warrant refusal. It is noted that adjoining property also contain extension within the residential curtilage. Therefore, no significant harm to residential amenity would be caused in terms of loss of light, loss of outlook, loss of privacy or any overbearing impact.

The application site does not benefit from the lengthy garden and it is approximately 7.8m in depth. There are residential properties sited at the rear of the application site and due to the orientation of these dwelling, the dormer windows would not afford direct views in the private habitable areas. The total height of the dwelling is approximately 5.5m high and the dormer window are set below the roof profile; therefore it is considered that the proposal would not cause significant overlooking which would be detrimental to living conditions of the nearby occupiers. The roof extension would encompass two rooflights in the front elevation, there would access to natural light to the bedrooms; therefore planning condition would be imposed for obscure glazing.

Overall, the proposed development is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan

SUMMARY

The development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions and informative.

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.

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

Proposed floor plans & elevation: 1288.02b

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM4 of the Arun Local Plan.

- 3 The dormer windows in the rear elevation of the dwelling for bathroom and two bedroom windows shall be glazed with obscured glass and non-opening above 1.7m.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies 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.