

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

REF NO: EP/4/15/HH

LOCATION: 12 Tamarisk Way
East Preston

PROPOSAL: Proposed extensions & alterations - Resubmission of EP/93/14/HH

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of two side extensions and the addition of a gable and various alterations.

SITE AREA

Approximately 1564 square metres.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

To front, wooden fencing at approximately 2m in height. There is wooden fencing along the front side boundaries at approximately 1.8m in height supplemented by hedging in places over 2m in height. To the rear, close boarded fencing and trellis at approximately 2m in height with continuous and dense hedging over 3m along the rear northern boundary.

SITE CHARACTERISTICS

A two storey detached property with brick elevations painted off-white and a PVCu central clad section to the front. The roof is pitched with brown pantiles. There is a double garage attached to the side (west) of the property.

CHARACTER OF LOCALITY

Predominantly residential in character, consisting primarily of two storey detached properties of various styles and designs.

RELEVANT SITE HISTORY

EP/93/14/HH	Remodelling of house comprising of the removal of existing pitched roof & introduction of flat roofs together with extensions & alterations	Refused 31-07-2014	<i>Appealed</i> Appeal: Dismissed 24 10 2014
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EP/93/14/HH - This application sought planning permission for the remodelling of the house

comprised of the removal of existing pitched roof & introduction of flat roofs together with extensions & alterations. This application was refused as it was deemed to be out of character with the area.

REPRESENTATIONS

Representations received:

East Preston Parish Council

This Application was considered by the Planning Committee of this council at its meeting on 9th February. The committee agreed it would raise no objections to this Application.

3 x Letters of Support;

- The proposed alterations will enhance the appearance of the property.
- The proposed alterations are in keeping with the character of the area.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can

carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton. The East Preston Neighbourhood Plan has passed referendum and as such Policies 1 and 2 will be considered in the determination of this application.

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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case are policies GEN7 and DEV19.

DESIGN AND VISUAL AMENITY

The application seeks permission for the construction of a single storey side extension to the east of the dwelling and a single storey porch extension to the west. It is also proposed that a new gable will be constructed on the primary elevation as well as various alterations to window configurations.

The side extension to the east of the existing dwelling measures 5.5 metres in height and 4.5 metres in width, whilst the proposed porch extension measures approximately 5.3 metres in height and 3.2 metres in width. Both of these extensions are designed to mirror each other in design and as such provide symmetry to the dwelling. The scale and position of the proposed extensions are such that they are deemed to be subservient to the existing dwelling.

The addition of the gable on the primary elevation and the alterations to the existing dwelling and garage are deemed to make a positive contribution to the appearance of the dwelling and is deemed to be in keeping with the existing character of the area.

The previously refused application under reference EP/93/14/HH sought to substantially alter the appearance of the dwelling from a traditionally designed property with painted brick elevations and a pitch tiled roof to that of a contemporary angular form of development with flat roof and render.

The new proposal in terms of its design is deemed to be in keeping with the existing character of the area as well as being in accordance with policy GEN7 of the Arun District Local Plan 2003 and Policies 1 and 2 of the East Preston Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed works are not deemed to give rise to any adverse impacts upon the residential amenity of adjoining properties. The proposed side extension to the west of the existing dwelling is set back by 7 metres. The eastern side extension is located 2.2 metres from the eastern boundary. Given the eaves height of 2.6 metres this is not deemed to give rise to any adverse overbearing or overshadowing effects upon the neighbouring property. The proposed extensions due to their design and the absence of any additional windows on the side elevations do not give rise to any additional overlooking.

Therefore, the proposal is deemed to be in accordance with GEN7 and DEV19 of the Arun District Local Plan.

CONCLUSION

The application is deemed to be in accordance with policies GEN7 and DEV19 as well as policies 1 and 2 of The East Preston Neighbourhood Plan and as such it is recommended that this application is approved subject to the below conditions.

HUMAN RIGHTS ACT

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 for 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 no impacts have been identified upon any 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:- Site Plans, Proposed Plan, Front & Side Elevations - 1030/6; and Rear Elevation & Roof Plan - 1030/7.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for the roofs of the existing dwelling and extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension and on the existing roof.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.