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

REF NO: **EP/56/12/**

LOCATION: 6 The Drive
East Preston

PROPOSAL: New guest room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The guest room would be housed within a single-storey flat roof extension that will link the main dweilling to the detached garages to the south.
SITE AREA	Approximately 625 square metres.
TOPOGROPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The rear of the site is enclosed by approximately 1.8 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by a detached two-stprey dwelling. A number of extensions and alterations have been made to the original building over time. There is a detached building to the front of the dwelling that consists of two separate garages. There is also a detached timber store building positioned behind the garages.
CHARACTER OF LOCALITY	The site is located on a residential road that is characterised by detached dwellings of a variety of designs and scales that are set slightly back from the road with relatively small gaps maintained between individual buildings.

RELEVANT SITE HISTORY

EP/67/91	Extension to existing detached garage	Approve Conditionaly 30-09-1991
EP/10/94	3 no. pitched roof first floor dormers	Approve Conditionaly 08-04-1994
EP/9/79	Single storey utility room extension to kitchen	Approve Conditionaly 21-02-1979

REPRESENTATIONS

Representations received:
East Preston Parish Council
No objection.
Comments on Representations received:
Noted.

CONSULTATIONS

Consultations responses received:
None.
Comments on Consultation responses:
None.

POLICY CONTEXT

Designation applicable to site:
Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

EPDS	East Preston Village Design Statement by E P Parish Council

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

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

The proposed extension will be positioned behind the existing garage buildings on site, which will screen it from having any significant visual presence within the street scene. The extension will increase the size of the original dwelling, which has already been extended a number of times, however, surrounding residential development includes a dwellings of a variety of designs and scales, and it is not considered that the increase in size will result in the dwelling being out of context with its surroundings. It is therefore considered that the proposed extension will not result in an adverse impact upon the character and appearance of the surrounding area.

It is considered that the extension will relate sympathetically towards the existing dwelling in terms of design and scale. Its modest proportions, particularly its single-storey height, will ensure that it maintains visual subservience towards the existing dwelling. The flat roof design reduces gives the extension a low profile appearance that will not interfere or clash with the design features of the original dwelling.

With regards to the amenities of neighbouring residents, the proposed extension will be positioned close to the southern site boundary, however, given its low profile and the fact that it will be positioned alongside the flank wall of a garage building at the neighbouring property, it is not considered that there is the potential for it forming an unacceptable overbearing presence of for it causing undue levels of overshadowing. Any views from windows and openings towards neighbouring properties will be interrupted by existing site boundary treatment, safeguarding the privacy of neighbouring residents.

It is therefore recommended that the application is approved, 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 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 it has been deemed that it would have a neutral impact 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).

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:-

12/3941/1;
12/3941/2;
12/3941/3;

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

3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: NPPF

SUPPLEMENTARY POLICY GUIDANCE: EAST PRESTON VILLAGE DESIGN STATEMENT

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.