

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

REF NO: EP/5/21/HH

LOCATION: Shore House
Seafeld Road
East Preston
BN16 1NA

PROPOSAL: Detached garage extension with new pitched roof to create first floor self contained annexe & detached office outbuilding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an extension to the existing detached garage, which creates a self contained annex at first floor level. This is by way of the construction of a new pitched roof atop of the existing garage. Additionally, the proposal seeks to construct a single storey office outbuilding in the rear garden of the host dwelling.
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RELEVANT SITE HISTORY

EP/140/20/HH	Integral garage conversion including alterations to front and rear elevations	ApproveConditionally 22-12-20
EP/34/16/PL	Detached garage & associated landscaping.	ApproveConditionally 25-05-16
EP/71/15/PL	Demolition of existing house & garage, replace with 1 No. dwelling with integral garage including alterations to roof, windows & the erections of a boat shed (Amendment to planning permission EP/182/14/PL).	ApproveConditionally 27-08-15

REPRESENTATIONS

East Preston Neighbourhood Development Plan - No objection.

East Preston & Kingston Preservation Society - Objection.

- The Society do not object to the proposed office building.
- The Society object to the garage and accommodation.
- The street frontage will appear unattractive.

- The building will have a significantly harmful impact upon the street scene.
- The proposal would harm the sense of space and the character of the road.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area 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
HERDM4	HER DM4 Areas of Character

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 2	Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD8	Areas of Special Character
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CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1, D DM4 and HER DM4 of the Arun Local Plan. Additionally, Policies 1 and 2 of the East Preston Neighbourhood Development 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 HER DM4 of the Arun Local Plan relates to applications within Areas of Character. Proposals will be granted subject to the retention of buildings and other features which make positive contributions to the special character of the area, maintenance of an appropriate mix of uses, and where possible, enhance the special character of the area.

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 application site is located within an Area of Special Character. This area is characterised by wide, informal roads with no formal footways. The roads are typically dominated by mature hedges, and being an attractive streetscape with soft landscaping. The properties are typically set back from the road, with a wide variety of design.

The proposed construction of a small office outbuilding is not considered to result in any significant impact upon the character of the area. This is due to the siting and the scale of the proposed outbuilding allowing there to be very few available views of the proposal within the public realm. As a result of this, the proposed office outbuilding is considered to be an acceptable addition to the application site.

The proposed extension to the existing garage relates to a side extension of approximately 5m to the North of the existing garage and bring the proposal to a total height of 6.3m. Due to the siting of the garage, there will be views of the proposed extension within the street scene of Seafield Road. This change in appearance alone does not prescribe refusal of the application, as it has to be established that the proposed extensions would result in a significantly harmful impact upon the character of the host dwelling, or its locality. The proposed extension is considered to be of a good design, despite the fact that it increases the physical built form of the host dwelling. This is due to the choice of materials and the roof slop matching that of the host dwelling itself allowing the garage to appear visually unified with the host dwelling. The locality is considered to have a mixed and varied character, with no uniform building line. Furthermore, whilst the Area of Special Character states that properties are typically set back from the street scene, this is not considered to be necessarily applicable to the Eastern side of Seafield Road, in that the dwelling opposite the application site is within 3m of the front boundary of the application site, as the proposal will be also. Therefore, whilst the proposed development will be visible within the street scene, it cannot be considered to result in any significantly harmful impact upon the character of the area due to its design and use of materials.

The application is considered to accord with D DM1, D DM4 and HER DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is as a result of the siting of the proposed outbuilding and the existing garage as being sited a significant distance away from nearby occupiers in order to prevent any unneighbourly impacts. The proposed office outbuilding is not considered to result in any harmful overlooking due to its single storey nature. The proposed annex accommodation includes a first floor rooflight its Western elevation, which has scope to overlook the private amenity area to the West, and as such it will be conditioned that this obscure glazing remain and the window be fixed to be non-opening below 1.7m from internal floor level in perpetuity.

The application is considered to be 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 Detached Office Building - AR-149-03 - 03 - Jan.2021
 - Proposed Garage Extensions & First Floor Annex - AR-149-02 - 02 - Jan.2021
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 window at first floor level in the Western elevation of the building shall at all times be and remain glazed entirely with obscure glass and be fixed to be non-opening below 1.7m from internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.
- 4 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including

details of hard and soft landscaping and details of existing trees and hedgerows to be retained along the Northern boundary of the site, together with measures for their protection during the course of the development.

The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 5 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Shore House, Seafield Road, East Preston as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 6 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.