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

REF NO: EP/5/24/HH

LOCATION: 40 Angmering Lane
East Preston
BN16 2TA

PROPOSAL: Extension above existing garage, 2 No. pitched roofs to replace flat on 2 No. existing dormers, removal of 2 No. chimney stacks and alterations to fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to construct a first-floor side extension, replace the roofs of 2 No. existing dormers with pitched roofs, remove 2 No. chimney stacks, and make alterations to the fenestrations.

REPRESENTATIONS

East Preston Parish Council - No objection:
- Some concern that the first-floor extension may be closer in proximity to the northern boundary than the existing footprint.

No representations from nearby occupiers.

OFFICER COMMENTS
It is suspected that the Parish Council may have interpreted the southern site boundary illustrated on the proposed ground floor plan as the northern site boundary on the proposed first-floor plan given the proximity of the plans on the page. There does not appear to be any proposal to move the first-floor side elevation closer to the northern boundary other than in respect to the new gable eaves overhang.

CONSULTATION RESPONSES RECEIVED:

None.

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)

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:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

EPDS East Preston Village Design Statement

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE

The key Development Plan policies of relevance to this application are D DM1 & D DM4 of the Arun Local Plan (ALP), and policies 1 & 2 of the East Preston Neighbourhood Development Plan (EPNP).

Section M of the Arun Design Guide & Character Area One of the East Preston Village Design Statement (EPVDS) are also of relevance.

DESIGN AND VISUAL AMENITY

The proposed first-floor side extension would not be set down, nor back from the front elevation as recommended by Section M of the Arun Design Guide. It would, however, match the ridge height, pitch, and eaves of the existing roof form. Further, the existing and proposed roof forms would be re-tiled and constructed of the same dark grey roof tiles. The existing and proposed walls would also all consist of smooth render, thus the proposed side extension would appear fully integrated with the host dwelling. Whilst it is not visually subservient to the host dwelling, it would maintain an acceptable form and scale for the site and would not appear out of character with the locality, which is characterised by a variety of large, detached dwellings with individual designs and a varying material palette.

The re-roofing of the existing front flat roofed dormers with small, hipped roofs is a visual enhancement of the existing dormers and would not constitute any excessive increase of scale or bulk.

The rear flat roofed dormer within the side extension is a minor incident within the roof slope, centrally located, and relates well to the existing rear flat roofed dormer in accordance with Section M of the Arun Design Guide.

The proposal is not in full compliance with policy D DM4 of the ALP in that it is not a visually subservient addition. However, the lack of subservience would not give rise to any harm of the visual amenity or character of the dwelling or the wider locality. The proposals are in accordance with policies D DM1 & D DM4 of the ALP in all other respects, and policies 1 & 2 of the EPNP.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed first-floor side extension comes within close proximity to the shared northern site boundary. This makes No. 38 Angmering Lane the primary neighbouring property of concern when considering impacts of neighbouring residential amenity. No. 38 is set further forward within its plot, thus making rear built form and viewpoints that are close to the shared boundary particularly susceptible to potential impacts.

Section M of the Arun Design Guide sets out and illustrates the 45-degree sightline rule. Owing to the pitch of the roof, there may be some intersection of the 45-degree sightline heading south from the southernmost first-floor rear dormer of No. 38. However, this intersection is minor and will not give rise to significant impacts by way of overbearing. There would be no significant overshadowing impacts on this opening.

No. 38 features a ground floor single storey rear extension adjacent to the shared boundary. The 45-degree rule applies to the rear viewpoints of such extensions and there would be no intersection of the 45-degree sightlines from these rear viewpoints. No. 38's rear extension is approx. 3.8m from the proposed side extension and features a significant amount of glazing. There would remain an ample

separation distance between the proposal and this neighbouring extension, and whilst there would be some adverse overshadowing impact, it is not such that it is significantly adverse and would warrant refusal.

The proposal includes a new first-floor front dormer and first-floor rear dormer. The one to the front would look out to the street, and that to the rear would primarily look out to the rear amenity space of the dwelling. There is substantial mature planting to the northern site boundary and thus, any long, peripheral views toward the rear amenity space of No. 38 would be obscured and are not unacceptable. Nonetheless, the nature of these views in the absence of this planting, would likely be acceptable given their ability to only provide incidental, peripheral views toward the mid-end of the neighbouring rear amenity space.

The proposal is in accordance with policies D DM1 & D DM4 of the ALP.

SUMMARY
The proposal is in accordance with relevant Development Plan policies and as such, the proposal is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

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 & Block Plan 23/4939/1, Rev A.
- Proposed Elevations 23/4939/5.
- Proposed Plans 23/4939/4.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1.

3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.