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

**REF NO:** **EP/60/13/**

**LOCATION:** 6 The Ridings
East Preston

**PROPOSAL:** Rear and side extension

## SITE AND SURROUNDINGS

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| DESCRIPTION OF APPLICATION | As above. The rear extension measures approximately 5m in depth, approximately 7.5m in width and approximately 5.5m in height. The side extension will be located on the southern boundary and measures approximately 3.5m in length, approximately 2.5m in depth and approximately 2.7m in height. Materials for both extensions will match existing. |
| SITE AREA | Approximately 450 square metres. |
| RESIDENTIAL DEVELOPMENT DEN | N/A |
| TOPOGRAPHY | Predominantly flat. |
| TREES | None of any significance affected by the proposed development. |
| BOUNDARY TREATMENT | Open to front with close boarded fencing along both sides. Close boarded fencing to rear at approximately 1.8m in height. |
| SITE CHARACTERISTICS | A detached bungalow with brick elevations painted cream. Hipped roof with plain brown roof tiles. Existing rear conservatory and attached garage along the northern boundary. |
| CHARACTER OF LOCALITY | Situated on a private residential estate, the area is characterised by a generally open and spacious appearance. Single storey extensions are evident in the street scene. |

## RELEVANT SITE HISTORY

None

## 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 Boundary

### DEVELOPMENT PLAN POLICIES

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

### PLANNING POLICY GUIDANCE

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| NPPF | National Planning Policy Framework |

### SUPPLEMENTARY POLICY GUIDANCE

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|---|---|
| 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 Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies 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

PRINCIPLE
The site lies within the built-up area boundary where residential development is acceptable in principle, subject to it complying with the relevant Development Plan policies.

DESIGN
This proposal considers a rear extension to roof height and a single storey side extension. Whilst the rear extension follows the ridge height of the roof, it is still considered visually subservient to the host property in terms of its width and depth. The rear extension will replace an existing PVCu conservatory of smaller dimensions. The side extension is considered modest in size with a flat roof which reduces its prominence.

Both rear and side extensions will be constructed from brickwork and roof tiles to match existing and ensuring visual integration and sympathetic development forms. Both structures are considered to accord with guidance in the East Preston Design Statement.

AMENITY

The side extension is of modest dimensions including a height at approximately 2.7m in height. Therefore, whilst it is located hard against the southern boundary, the close boarded fencing at approximately 1.8m in height as the boundary treatment in this location will shield the bulk of the structure.

By reason of its rear projection from the existing garage at approximately 2.4m, the rear extension is considered not to cause any adverse effects to neighbouring amenity such as overbearing or overshadowing. The sole window in the side south window is small in scale and appropriately located so as to minimise any overlooking. However, to prevent any unacceptable overlooking from future dormers being built in the roofslope facing on to neighbouring properties, a condition will be placed on the permission preventing dormers from being installed without first submitting an application for this development.

It has been also noted there are also rear extensions at Numbers 2 and 4 The Ridings immediately to the north which are considered to have a greater rear projection than that of the proposed.

It is therefore recommended that the application be 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 to 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 a neutral impact has 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).

## 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: drawing numbers 1431/01/04 block plan, 1431/01/01 existing elevations, 1431/01/02 proposed elevations, 1431/01/03 ground floor plan, all dated April 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 and DEV19 of the Arun District Local Plan.

3 The materials and finishes of the external walls and roof of the side and rear extensions hereby permitted shall match in colour and texture to those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings shall be formed in the north and south elevation roofslopes of the rear extension without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

5 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.