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

REF NO: **EP/63/12/**

LOCATION: Croft Cottage
5 Kingston Lane
East Preston

PROPOSAL: Demolition of existing single storey side extension & construction of new single storey side extension under part pitched part flat roof

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above, to measure approximately 3.5 metres in width x 5.4 metres in depth x 3.3 metres in height.
SITE AREA	Approx. 769 sq.m.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGROPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Mature hedging to front boundaries, approx. 2.5 metres in height. Hedging and fencing to side and rear boundaries.
SITE CHARACTERISTICS	Semi detached 2 storey dwelling within corner plot, red brick elevations and hipped red tiled roof. Detached garage/outbuilding to side of dwelling.
CHARACTER OF LOCALITY	Residential, mix of types and styles of properties within the locality. Fields to the east. 2 storey addition to side of adjoining property.

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:
Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	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

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

EMERGING LOCAL PLAN
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

PLANNING
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 side extension would be single storey with a false pitch red tiled roof and face brickwork to match the host dwelling. This together with its scale will ensure that the addition appears visually integrated and subservient to the host dwelling. As such the appearance of the existing dwelling and wider locality would be preserved.

The impact upon residential amenity is also acceptable given the single storey nature of the extension, its oritentation and the distance maintained from shared boundaries.

In the absence of any detriment to visual or residential amenity, it is recommended that the application be approved subject to the conditions set out below.

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 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 No. 854.04.A (Elevations & Site Block Plan); 854.04 (Proposed Elevations and Site Block Plan); 854.04.A (Existing Floor Plans); 854.03 (Proposed Floor Plan & Roof Plan).

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 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

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

4 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: GEN7, DEV19

NATIONAL PLANNING POLICY FRAMEWORK

SUPPLEMENTARY 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.