

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

REF NO: EP/63/19/HH

LOCATION: 91 Worthing Road
East Preston
BN16 1DE

PROPOSAL: Single storey side extension and single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

EP/49/08/	Loft conversion	ApproveConditionally 12-05-08
EP/31/88	Proposed extension and carport	ApproveConditionally 14-03-88

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council

Parish Council:

The council's Planning & Licensing Committee considered this Application at its meeting on Monday, 22nd July. One of the applicants was present.

The committee agreed unanimously it had no objections to raise against this application.

Four letter of objection on the following grounds:

1. Statutory planning notice has not been posted outside of the property within the required time frames laid down by the planning regulations.
2. Property at 91 has already been extended twice. Any further extension would be a considerable over-development of the site, and not in keeping with the style and character of the surrounding properties.
3. Worries with regards to overshadow our property and be oppressively close.
4. Proposed development shows building right up to the boundary, no permission has been sought to access land owned by 93, any guttering would over hang into the land owned by 93.
5. The proposed extension does not comply with the East Preston Village Design statement relating to character area 2, in that the extension is unbalanced and does not look like part of the original building, also the design is unbalanced as it is mainly of to one side of the property, as laid down in the Village

Design Statement.

6. The extension will overlook, overshadow and overpower the neighbouring property as the construction proposed would come within 70cms of our house and would not ensure adequate light provision as laid out in the Arun District Council Local Plan.

7. Arun District Council Local Plan Policy D DM4 section D states that where there are small gaps between properties the extension cannot be built within 1 metre of the boundary, the plan submitted is clearly in breach of this as it shows the proposed building right up to the boundary.

8. The revised plan submitted shows the new proposal to be almost a metre longer than the original plan submitted and would therefore exacerbate all of the above issues.

9. The proximity for the proposed in relation to 93 with the height being an issue.

10. Drainage concerns with fear of flooding to the neighbouring properties.

CONSULTATION RESPONSES RECEIVED:

In response to point 1 our records show photographic evidence that the applications have been displayed on 16/07/2019.

In response to point 4 that is a civil matter and as such is not addressed in this application.

Point 7 outlines D DM4 (D) which explains that any extensions above ground floor should not be within 1m of the boundary, however this does not apply to this application as the proposed is ground floor only.

POLICY CONTEXT

Designation applicable to site:

Within the 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
SDSP2	SD SP2 Built-up Area Boundary

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 3	Design in Character Area Two

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4. The site is occupied by a detached property with front and back gardens in a mixed design area.

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 locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy 1 of the East Preston Neighbourhood Development Plan outlines 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 3 of the East Preston Neighbourhood Development Plan outlines the scale, density, massing, height, landscape design, layout and materials of development proposals in Character Area Two, including alterations to existing buildings.

DESIGN AND VISUAL AMENITY

The rear extension will be visible from the street scene as a result of its siting along the north side of the dwelling.

The side extension will sit below that of the ridge height of the host dwelling and as a result does not appear unduly dominant. The development appears well integrated with the host dwelling as a result of its size, design and the use of matching materials.

The development proposed is not considered to adversely impact the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The development will run along the eastern boundary and extend beyond the side/rear elevation by 3.6m. The side/rear extension will have a width of 1.69m running along the boundary. The rear/side extension will have a flat roof to a height of 2.7m with a maximum of 3.4m with a roof lantern to the rear.

The side extension is to be built to the same height of 2.7m with a width of 3.6m and a depth of 1.81m. On this side extension there will be 1 No. window that is for a bathroom.

The impact on the neighbours property is acknowledged. However the proposals being single storey it is not considered there will be any significant overshadowing or overbearing on these extensions or the neighbouring properties themselves. The impact would be similar to an outbuilding erected on the boundary that may be considered permitted development.

There will be a door to the front which will overlook the street scene. Doors will also be sited to the rear extension, however 11.15m is retained to the rear with sufficient boundary treatment and there is not considered to be any adverse impacts upon neighbouring amenity.

As a result of the modest scale and design the proposed development is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development accords with the relevant development policies and as such 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.

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 2457/01/03.

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 **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.