

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

REF NO: EP/65/18/HH

LOCATION: Samlin
14 Tamarisk Way
East Preston
BN16 2TF

PROPOSAL: Cover existing rendering with cladding to storey level one to light grey, change existing white cladding on front & rear dormer windows to light grey cladding to storey level two.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The site is occupied by a detached chalet bungalow which, prior to the addition of light grey cladding to front and rear, featured cream render to ground floor and front gable end, red brickwork, red clay tiles to roof, white uPVC windows and use of white cladding to front and rear dormers. Currently the applicant has increased the use of cladding on the dwelling and has had the southern elevation clad with light grey Kavex uPVC shiplap cladding which this application seeks permission for. This application also seek permission to clad the eastern, western and northern elevation with the same cladding.
CHARACTER OF LOCALITY	The character of the locality is predominantly residential and features properties of various designs and styles. The properties utilise a variety of materials with some featuring uPVC cladding.

RELEVANT SITE HISTORY

N/A

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

NO PUBLIC SEWER

PD RESTRICTION

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2 Built-up Area Boundary

GEN7 The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

SD SP2 Built -Up Area Boundary

[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

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The East Preston Neighbourhood Plan has been made and policies 1 and 2 are considered relevant to the determination of this application.

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

The application site is situated within the built area boundary where the principle of development

is acceptable subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are considered to be GEN7 of the Arun District Local Plan; D DM4 of the emerging plan, Policies 1 and 2 of the East Preston Neighbourhood Plan; and the National Planning Policy Framework.

Currently the applicant has increased the use of cladding on the dwelling and has had the southern elevation clad with light grey Kavex uPVC shiplap cladding which this application seeks permission for. This application also seek permission to clad the eastern, western and northern elevation with the same cladding.

DESIGN AND VISUAL AMENITY

This application seeks permission to clad the existing dwelling, known as Samlin (number 14). It should be noted that cladding to the southern elevation has already been carried out. Along Tamarisk Way there are a variety of properties that utilise a variety of different external materials. Officers note that while lots of dwellings of properties feature some form of either white or cream render, properties also feature brickwork elements, the use of tile hanging, along with the use of cladding to the front and rear. It should be noted that property number 12 features a section of uPVC cladding to the front of the property at first floor level.

The cladding that has been installed on the application dwelling is Kavex uPVC shiplap cladding in light grey. From the Officers site visit and an assessment of the plans and submitted photos, Officers note that a far greater portion of the dwelling has been clad in uPVC, particularly to the southern front of the dwelling, than is commonly seen along Tamarisk Way. However, it is considered that given the variety of combinations of external materials used along Tamarisk Way and that the application dwelling is set back considerably from the rear of the highway the light grey cladding as installed would not have a detrimental impact on the street scene or the wider area. Additionally, Officer also consider that cladding the eastern, western and northern elevation with the same light grey cladding would lead to the majority of the property being clad but would not have a detrimental impact on the street scene or the wider area.

The proposals the subject of this application by virtue of their design and location are considered to preserve the character of the street scene and wider locality in accordance with Policies GEN 7 criteria (i), (ii), (v), (vi), DEV 19 Criteria (i) and (v) of the Arun District Local Plan and Policy 1 and 2 of the East Preston Neighbourhood Plan.

RESIDENTIAL AMENITY

From an assessment of the plans and the Officer's site visit it is considered that as the proposal is simply to clad the application dwelling no increase the built form would occur. Therefore it is considered that the proposal would not have a detrimental impact upon the residential amenity of the occupiers of adjoining properties 12 and Thalassa (16), with regard to overbearing impact, overshadowing, overlooking or loss of light/sunlight.

As such, the proposals the subject of this application are considered to be in accordance with policies GEN7 (iv) & DEV19 (iii) of the Arun District Local Plan and Policy 1 (iii) of the East Preston Neighbourhood Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the below conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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:

Drawing Number 1, Drawing Number 2, Drawing Number 3, Drawing Number 4, Drawing Number 5, submitted photos entitled South Elevation Before and After Photos: Re. Retrospective Planning Approval dated 28/04/2018 and the submitted application form.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DEV 19 and GEN 7 of the Arun District 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.