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

REF NO: EP/65/19/HH

LOCATION: 34 Sea Lane
East Preston
BN16 1NE

PROPOSAL: Demolition of existing conservatories and the erection of a single storey pitched roof rear extension to allow for enlargement of kitchen and sitting room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

EP/93/97	Room in roof space with new dormer	ApproveConditionally 06-01-98

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

The Planning & Licensing Committee of this council considered this Application at its meeting on Monday, 24th June. The applicants were invited but apologised for being unable to attend.
The committee agreed it had no objections to raise against this Application.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

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 2	Design in Character Area One

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
Policy D DM1 sets out 13 design aspects pf 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 Plan outlines the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, to reflect and enhance the architectural and historic character and scale of the surrounding buildings.

Policy 2 of the East Preston Neighbourhood Plan outlines the scale, density, massing, height, landscape design, layout and materials of development proposals in Character Area Three, as shown on the Proposals Map, including alterations to existing buildings.

SITE HISTORY
No relevant site history.

DESIGN AND VISUAL AMENITY
Given the proposal is not visible from the street scene, it is not deemed to have a significantly detrimental impact on the established spatial pattern, or visual amenity of the area. The proposal is subservient in appearance and sympathetic in style to the host dwelling due to the single storey nature, proposed materials and modest, largely open scale of the development.

The proposed alterations are considered to be acceptable in terms of design and visual amenity, in that

they do not have any considerable impact upon the street scene, or the established character of the site. The proposed new window is not considered to have a demonstrably negative impact on the appearance of the building or considered to impact upon overlooking and privacy of neighbouring properties.

Therefore, the proposal is deemed to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan and Policies 1 and 2 of the East Preston Neighbourhood Plan in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY
The proposed development is not considered to have any significant impact upon the residential amenities of neighbouring dwellings. The proposed construction would be located 1m from the southern boundary, 2.5m from the northern boundary and is proposed to be 35m from the eastern boundary. The proposed window and door are sited on the western elevation not gaining a view of any neighbouring dwellings as the property backs onto green space. As the proposal is single storey it is considered to mitigate any potential for loss of privacy. Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

Given the location and height of the proposed extension it is not deemed to effect any of the local properties with regards to the 45 degree rule. This is because it is a single storey development that does not cross the view from the neighbouring windows.

SUMMARY
The proposed development is deemed to accord with the relevant development plan polices and as such is recommended for approval 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 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 193018/02D

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.