

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

REF NO: EP/68/21/HH

LOCATION: Merrydown
Kingston Lane
East Preston
BN16 1RP

PROPOSAL: Erection of timber framed detached garage with ancillary accommodation on first floor, installation of electric gated entrance, erection of new brick garden walls and extension to existing driveway and hardstanding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Erection of 3 bay timber garage with habitable accommodation above. New wall and gate to front boundary.

REPRESENTATIONS

Parish Council - Objection

- Garage is contrary to Area of Special Character
- Proposed gate is not in keeping
- Slate roof is not in keeping
- Concern raised about high wall, request made for condition relating to the retention of hedge.

EP&K Preservation Society

- Concern raised relating to the encroachment of 'regular building line' and that it would compromise the characteristics of the area.

1 Neighbour Objection

- May block views of open fields

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

BUAB

Special Area of Character 11-

This area is characterised by dwellings of generally individual design, several incorporating attractive mock Tudor designs. Dwellings in the main are two stories in height. It is an attractively landscaped area, with mature planting and grass verges predominating. There is a regular building line and the majority of the buildings are detached, set in their own spacious grounds. There is an appearance of low density and spaciousness about the area with space between buildings being an important feature.

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)
HERDM4	HER DM4 Areas of Character

<u>East Preston Neighbourhood Plan 2014 Policy 1</u>	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**

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 the locality.

Policy HER DM4 sets out that proposals within an Area of Character should; retain special features, maintain an appropriate mix of uses and accord with the characteristics set out by the LPA.

East Preston has a made neighbourhood plan and policies 1 and 2 are of relevance to householder extensions. Policy 1 looks to control general principles relating to householder extensions including character and scale, car parking provision, amenities of local residents and protection of green spaces. Policy 2 provides the areas of character (Area 1) design guidance and seeks to control density, size and outlook.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, the front and side extension should also not disrupt building lines, maintain and enhance frontages, be subservient to the host dwelling and respect the space between buildings. At first floor level extensions should not be visually intrusive or block light into surrounding properties.

DESIGN AND VISUAL AMENITY

It has been proposed to build a 3 bay timber garage with living accommodation above. The garage by nature of its materials and design has an agricultural feel with window openings and glazed features being kept to a minimum. Its scale is appropriate for its intended use.

The materials chosen do differ from those use in the host dwelling, however, due to the large separation distances between the proposed and the host dwelling it is felt that this does not detract from the scheme. In fact, it will relate with a similar garage building to the North in terms of scale and materials more than it does the host dwelling.

The proposed wall and gates will be a departure from existing boundary treatments in the area, which are formed through mature planting. It is noted that plans show the wall to be well screened with the existing hedgerow. As requested by the Parish a condition to the retention of the hedge in perpetuity can be added to the approval in order to maintain the bucolic nature of the area. The gates will be set back from the front boundary screening and therefore are not considered unacceptable.

Having regard to the design and visual amenity, the proposal is deemed to accord with DDM1 and DDM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

The proposal is located towards the front of the application site, some 16m in front of the host dwelling. To the south the neighbouring property of Oakcroft is located 6m away from the development. The proposed development accords with the 45-degree policy with Oakcroft, the rule is not applicable to the neighbours to the north due to large separation distances. It is determined that the proposed structure will not be overbearing to the host dwelling or to Oakcroft. Due to the garage's position to the north of Oakcroft, neither will it overshadow the property.

In terms of overlooking, the views out from the garage either face the dwellinghouse, across to the fields to the east or over the front garden of the property. No new views will be obtainable which are not already achievable on site.

It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

AREA OF SPECIAL CHARACTER

As noted above the area of special character includes "mock Tudor designs. Dwellings in the main are two stories in height. It is an attractively landscaped area, with mature planting and grass verges predominating. There is a regular building line and the majority of the buildings are detached, set in their own spacious grounds."

The Parish and Preservation Society have both commented against the proposal as it does not accord with the area characteristics. However, the site will remain well landscaped, with a condition preventing loss of the hedging on site and the grass verges are to remain unchanged. It is considered that the garage and wall accord with these characterised elements. The materials chosen, although not mock Tudor will be sympathetic in this semi agricultural setting.

The Preservation society have commented on the "regular building line". Whereas the proposal will undoubtedly be built forward of the properties own building line, it is considered not to break the building line of that section of the road due to the garage directly to the north (which is located approximately the same distance away from the boundary) and No. 23 Elm Avenue (its side elevation sits approximately 0.5m away from the boundary with Kingston Lane)

The proposal is considered to accord with policy HER DM4 of the Arun Local Plan.

SUMMARY

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

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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;
 - 1.01 Location and Site Plan
 - 2.01 Proposed Garage Floor Plans and Elevations
 - 2.02 Rev A Roof plan
 - 2.03 Rev A Gates and Wall elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1,D DM4 and Her DM4 of the Arun Local Plan.

- 3 The existing front hedges shall be retained in perpetuity whilst the wall is retained and shall not be removed without the previous written consent of the Local Planning Authority. Any planting to the front boundary removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following

planting season with suitable replacement species.

Reason: To ensure the retention of vegetation important to the visual amenity, /the ecological quality/and for the environment of the area in accordance with policies d DM1 and ENV DM4 of the Arun Local Plan.

- 4 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.