

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

REF NO: EP/74/21/HH

LOCATION: 44 Hillview Crescent
East Preston
BN16 1RQ

PROPOSAL: Construction of garden outbuilding with for use as a annex and landscaping works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Erection of garden outbuilding measuring approximately 6.07m by 4.1m
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REPRESENTATIONS

Parish Council - No Objection
That committee did ask me to flag a concern about lack of access to the proposed building for emergency services.

Response - emergency access is covered by Building Regulations.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
BUAB

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

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

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.

East Preston has a made neighbourhood plan (EPNP) and policies 1 and 3 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 2) design guidance and seeks to control density, size and character.

DESIGN AND VISUAL AMENITY

The proposal seeks to provide a detached single storey outbuilding for use as habitable accommodation. The amount of habitable space provided by the development is deemed appropriate when considered against the existing dwelling and plot.

The extension does not compromise the established character of the area, which is characterised by other 1/1.5 storey residential dwelling on fair sized plots. Although the roof overhangs up to the boundary line in places, the bulk of the building will be kept 1m away from the boundary line, providing good space about the building.

The applicant has chosen a modern pallet of materials which is acceptable given the freedom allowed for development within the rear gardens of properties. A modern approach is also seen as a positive feature in a built-up residential setting.

Having regard to the aspects of form and design quality, the proposal is deemed to accord with DDM1 of the Arun Local Plan and policies 1 and 3 of the EPNP.

RESIDENTIAL AMENITY

The proposed extension will not be overbearing or overshadow the neighbouring properties. Its height and scale are appropriate for a single storey structure. As a detached structure the 45-degree rule is not applicable in this instance.

A good-sized rear garden is retained, exceeding design guidance recommendation.

The proposed fenestration to habitable rooms is to be located a ground floor level and there will be no negative impacts from overlooking.

The proposed structure will offer the occupiers or future residents of the dwelling a flexible space, for family or work commitments, which in the current climate is seen as a positive.

It is therefore considered by virtue of having a positive impact and appropriate density and character that the proposed outbuilding accords with policy D DM1 of the Arun Local Plan and policy 3 of the EPNP.

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

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 ;
- CAR 2000 Proposed Plans and Elevations
- CAR 1000 Location and Block Plans

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.