

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

REF NO: EP/84/20/HH

LOCATION: 19 South View
East Preston
BN16 1PX

PROPOSAL: First Floor extension over existing single storey side extension. Demolition of existing conservatory and construction of new two storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

East Preston Parish Council - No objection

No comments received.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN

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)

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**

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 and 2 of the East Preston Neighbourhood Development Plan.

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 1 of the East Preston Neighbourhood Development Plan sets out 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 2 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals within Character Area One. These are to preserve the street scene and avoid any increases in density that would be harmful to the character of the area and to protect the view from the beach.

DESIGN AND VISUAL AMENITY

The only part of the extensions proposed which would affect the street scene are 1.4 metres widening of the house at the front elevation on the east side. This is not considered to have a significant impact and would not affect the character of the building as it is only a small addition. The extension above the ground floor at the side would have an acceptable impact on the dwelling as a whole because the limited scope of the addition would complement rather than dominate the existing building .

The rear extension would be substantial but would still be subservient to the dwellinghouse as a whole and would therefore be considered to have an acceptable effect on the character of the building.

RESIDENTIAL AMENITY

The side extension is limited at 1.4 metres in width and would not be considered to have any significant impact on neighbouring dwellings in terms of loss of light, overbearing impact or loss of privacy. The side facing window is to be obscure glazed and fixed shut below 1.8 metres in height which is considered acceptable to protect the privacy of the neighbouring dwelling.

The rear extension would not intersect a 45 degree line drawn from the centre of the closest habitable room window at 17 South View and therefore is considered to comply with the 45 degree rule which the Council uses to assess impact on neighbouring dwellings in terms of loss of light and overbearing impact. There are no windows in the side facing wall and therefore no impact on the privacy of the neighbouring dwelling at 17 South View.

SUMMARY

The proposed development is considered to accord with the Local Development Plan and 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:

Proposed Plans, Elevations, Roof Plan and Site Block Plan dwg.no. 1257.02.b dated 21/07/2020

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.