

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

REF NO: EP/90/19/HH

LOCATION: 34 Warren Crescent
East Preston
BN16 1BJ

PROPOSAL: Proposed ground floor rear extension and all associated works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

EP/125/08/	Erection of conservatory on rear of building - replace existing wooden structure with brick and PVCu structure.	ApproveConditionally 05-02-09
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EP/15/04/	To change roof from hip ends to gable ends with barn hips and erect rear dormer.	ApproveConditionally 19-03-04
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council: No response received.

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 5

Design in Character Area Four

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 & 5 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 5 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals in Character Area Four. These criteria intend to preserve the street scene, through retention of low front walls, or open frontages, by avoiding high front walls or fences. Additionally, it specifies that provision for off-street car parking by way of removing roadside verges is supported.

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. This is due to the proposed extension measuring 8.57m wide, 4.8m deep and has a height of 3.22m.

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 5 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 5.9m from the southern boundary, 2.82m from the eastern boundary and 1.17m from the western boundary. The proposed French doors are located on the southern elevation with a window sited on the eastern elevation not gaining a view of any neighbouring dwellings as the property has a fence to the rear boundary. 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 policies 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 1330-401 (C), 1330-102 (C), 1330-101 (B), 1330-201 (B) and 1330-202 (C).

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.