REPORT UPDATE

Application No: EP/93/15/HH

Reason for the Update / Changes

Reason for Update/Changes:

A further letter of objection has been received from the neighbouring residents stating the following summarised additional points -
The footprint of 6 dwellings is less than the proposed footprint, the extension does not visually accord with no16, will severely restrict sunlight to neighbour, there is a reduction in the overall space to the neighbour's boundary. No properties in Worthing Road have whole site width front parking, view from Langmeads to the rear will be adversely affected by piecemeal roof forms, the prefabricated garage is not shown on the submitted existing ground floor plan, adjacent property is 70cm lower at the front and 40cm lower at the rear of the proposed extension and extension will be overbearing, the building is effectively 2.85m nearer, proposal will have windows in the east elevation which will result in overlooking, is covered walkway to be retained? The increase is 49.89% (119.13 sq m).

Officers Comment:
None

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

EP/93/15/HH

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

REF NO: **EP/93/15/HH**

LOCATION: 14 Worthing Road
East Preston

PROPOSAL: Single storey wrap around extension to provide annexe

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal involves demolition of the extensions to the original dwelling house and their replacement with single storey extensions comprising a double garage, entrance porch, bedrooms, store/dining room, sitting room, living room and conservatory. The extensions would be in the form of a wrap around addition to the northern, eastern and southern elevations.

	The extension has been designed with the elderly applicant's future needs taken into account to incorporate assisted living for the applicant. The applicant's son and his family will move into the dwelling and care for the parents in the annexe extension. The annexe will incorporate wheelchair provision. All the extensions have a false pitch with a height to ridge of 3.4m and an eaves height of 2.2m. The side extension has a length of 21.5m and the extensions project across the width of the dwelling to the front and rear. The maximum projection from the rear elevation is 9m and from the front is 6.4m. The materials of the extension would match the existing.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Walling to access to recreation ground approx. 2.2m high, the other side boundary approx. 2m high. To frontage walling to approx. 1m high.
SITE CHARACTERISTICS	The property is a detached two storey property overlooking to the rear and west side a local park. Whilst not a building of character like its detached counterparts on this side of Worthing Road it occupies a large footprint and bulk with flat roofed extensions to the front and sides.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly detached dwellings of varying design and style.

RELEVANT SITE HISTORY

EP/69/02/	Demolition of 4 houses and the erection of 19 three bedroom houses	Refused 24-09-2002	*Appealed*
		Appeal: Dismissed 21 07 2003	
EP/159/02/	The demolition of 4 house and the erection of 2 blocks of flats of a total of 30 units (Resubmission following EP/52/02/)	Refused 16-04-2003	*Appealed*
		Appeal: Dismissed	

		21 07 2003
EP/145/03/	Demolition of 4 houses & erection of 17 No. 3 bedroom houses with 21 parking spaces (resubmission following EP/69/02)	Refused 12-02-2004 *Appealed* **Appeal: Dismissed 30 09 2004**
EP/26/08/	Erection of 12 no 2 bedroom apartments comprising 2 no separate buildings. Formation of vehicular access and alteration to highway together with the provision of on-site parking & cycle store. (Resubmission following EP/165/07)	Approved Cond + S106 27-11-2008
EP/102/65	House with 2 garages	Approve 10-11-1965

REPRESENTATIONS

Representations received:

East Preston Parish Council

Objection - Proposal is contrary to East Preston Neighbourhood Plan. Section 4.16 of the Plan states 'Extensions should be designed to look as if they were part of the original; design of the house.' The proposal does not. The extensions would be better placed at the rear. The proposal would have an overbearing design which may increase overshadowing of the property to the east.

One letter of objection from adjoining neighbour's agent. The proposal would more than double the footprint of the dwelling. The proposed building would fill the width of the site and project substantially at the front and rear. It would constitute a sprawling structure and would not represent high quality design and layout. The scale would be inappropriately large in relation to the dwelling. The extensions would dominate and would not be subservient. The development would be out of keeping with a 6.5m projection in front of the main house. The form and proportions of the dwelling would be lost to the detriment of the appearance of the dwelling. The extensions would be visible from the recreation ground to the rear. The increase in parking to the site frontage and loss of greenery would adversely affect the character of the area. The section of rear extension closest to 16 Worthing Road would project about 7.5m beyond the rear wall of 16 Worthing Road. This would create an expanse of blank brick wall to no 16. This section would be higher than others and would extend up to just above sill level of the first floor windows of the application property. This would be overbearing on the outlook from the dining room bay window and in the rear garden of no 16. The sitting room and garden currently enjoy an open aspect to the west and the proposed extension would be oppressive. Sunlight would be reduced in the afternoon and evening to the detriment of neighbour's amenity.

Objection from East Preston and Kingston Preservation Society - The proposal is contrary to Arun District Local Plan and East Preston Neighbourhood Plan. It does not look like part of

the original design of the house, it is not visually subservient or integrated and adds more than 50% of the floor space of the original dwelling house.

Comments on Representations received:

Comment on Parish Council Objection - The proposed extension would replace existing single storey flat roofed extensions and would match the materials of the existing dwelling and would therefore be in keeping with the appearance of the dwelling. The property is set back from the road frontage and the extensions would not be readily visible in the street scene. The extensions would be subservient in accordance with policy DEV19 of Arun District Local Plan and policy EDDM4 of the Emerging Local Plan. These policies do not require extensions to be at the rear. The application needs to be considered on the basis of the harm that results from the extensions at the front not whether an extension to the rear would be more appropriate.

Comment on other objections - The proposal does not significantly increase the footprint of the existing dwelling and extensions. The floor area as existing is 249 sq m the proposed is 354 sq m. This represents an increase of 42%. The proposals do not extend the full width of the site. The new design reduces the overall width of the present buildings. The extensions would not be readily visible from the recreation ground being screened by boundary walling and planting. There is no proposal to increase the parking area to the front of the site.
The single storey extension would be located 1m from the boundary and extension would have an eaves height of 2.1m and a ridge of 3.3m. It would therefore not project significantly above the boundary wall and would not have a materially adverse overbearing impact on the adjoining property.

It is not agreed that the proposal conflicts with the policies of Arun District Local Plan or the East Preston Neighbourhood Plan.
Policies 1 & 4 of the made East Preston Neighbourhood Plan are considered relevant in this case. Policies 1 (i) & 4 (ii) are met as the proposed alterations are deemed to be in harmony with adjoining properties, would be constructed of matching materials, enhance the appearance of the dwelling and be proportionate to the plot size in accordance with paragraph 4.10.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Class B road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)

	D SP1 Design
East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 4	Design in Character Area Three

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. The proposal needs to be considered against policy 1: Housing and policy 4: Design in Character Area Three of the East Preston Neighbourhood Plan.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE
The proposal relates to single storey extensions to the existing dwelling and therefore falls to be considered against Arun District Local Plan Policy GEN7 which indicates planning permission will only be granted for schemes displaying high quality design and layout. Policy DEV19 states that planning permission will only be granted for extensions to existing residential buildings provided that:

(i) the extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
(ii) the extension is visually subservient to the main building;
(iii) the extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;
(iv) in streets characterised by relatively small gaps at first floor level between any buildings, any extension at first floor level does not come to within a minimum of one metre of the side boundary;
(v) the extension does not compromise the established spatial character and pattern.

VISUAL AMENITY AND CHARACTER OF THE AREA
In terms of design and visual amenity the alterations/extensions are an enhancement to the street scene as particularly at the front they remove ill assorted and non complementary flat roof structures which are to be replaced with balanced additions that add character and complement the host dwelling. The dwelling is set back a significant distance from the site frontage and the extensions would not project forward of other development on this side of Worthing Road. A gap would be retained to both site boundaries where currently none is present. This would improve the appearance of the dwelling on the plot visually providing space to plot boundaries in keeping with the character of the area.

The pitched/hipped roofs to the rear similarly help to assimilate the extensions into the parent dwelling and the replacement of a traditional conservatory with a more modern designed one breaks up and adds interest to this elevation. The use of appropriate and matching materials are detailed on the application plans.

The extension would provide additional ancillary accommodation as part of the existing dwelling and would not take the form of a detached separate annexe unit. It could easily be converted and

integrated into the dwelling in the future. A condition is imposed to ensure that any future use remains incidental to the dwelling house.

RESIDENTIAL AMENITY
The proposed works by virtue of their single storey nature and sloping roof profile together with dense boundary planting located in number 16 to the front and side of the dwelling and a 2m high solid wall to the rear of the property will ensure that there will be no unacceptable impact on neighbouring amenity by way of visual intrusion and/or loss of light.

CONCLUSION
The application is therefore recommended for approval subject to the following conditions

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 (the right to respect for 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 neutral 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).

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 15006/02R1 and 15006/03a.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

3 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 14 Worthing Road, East Preston as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

4 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

5 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.