

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

REF NO: K/27/13/

LOCATION: Spindrift
Golden Acre
East Preston Littlehampton

PROPOSAL: 2 storey side & rear extensions, 2 storey front porch extension, single storey extension to garage, 2 rear dormer windows, new slate roof, new velux windows to front, side & rear elevations. Remodel existing garage & velux windows to be added to west side of garage roof

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to a 2 storey porch extension to the front of the property measuring 1.8m x 2.7m in area with a pitched roof, an increase in the length of the existing garage of 1.5 metres, a single storey extension to the rear measuring 4.5m in depth x 14m length, a 2 storey extension to the side of the property and a centrally sited first floor rear extension measuring 4.2m x 5m. It is also proposed to convert the roof area to provide 2 additional bedrooms.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Site frontage walling to approximately 1.8m height. Rear fencing to side boundaries to approx. 1.8m height.
SITE CHARACTERISTICS	Detached 2 storey dwelling. White painted rendered elevations. Gloss ridged clay tile roof brown in colour. Flat roofed extension to side between original dwelling and pitched roof garage.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly detached 2 storey dwellings of varying design in large plots centrally sited and set back from the site frontage. Pitched roof garage to side.

RELEVANT SITE HISTORY

K/3/52

Alterations

Approve

24-10-1952

K/31/62

Double garage

ApproveConditionally

21-09-1962

REPRESENTATIONS

Representations received:

Kingston Parish Council

No Objection

East Preston and Kingston Preservation Society - The proposed alterations improve the road frontage of this building, but have concerns regarding the design of the altered house: the large number of velux windows detract from the appearance of the building, a reduction in number would improve the appearance of the dwelling; clay tiles would be more appropriate than slates.

Comments on Representations received:

The estate comprises a mix of roofing materials and design of dwellings and whilst tiles are the predominant roofing material it is not considered that a slate roof would be inappropriate. The adjoining dwelling has a green tiled roof which is a significantly different colour to the vast majority of roofs in the locality. Given the size of the rooflights it is not considered that they are excessive in number. Changing the roofing materials of the existing dwelling would constitute permitted development.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[DEV19](#)

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 conflict with relevant Development Plan policies in that it would not be visually subservient to the main dwelling, in conflict with policy DEV19.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Namely, it would improve the appearance of the building and 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.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application is for various extensions to the side, rear and front of the property. Whilst the extensions will be readily visible within the street scene and would significantly alter the appearance of the dwelling, it is considered to be acceptable on the basis that the ugly and discordant flat roofed 2 storey extension to the side of the property is to be demolished and the new roof and integrated extensions would enhance the appearance of the dwelling and appear as a more cohesive form of development with elevational materials to match existing. The whole dwelling is to be reroofed and therefore the roof of the extensions would match the existing dwelling. The proposal still retains a gap in excess of 1 metre to both side boundaries at first floor level and the established spatial character and pattern of the street would not be compromised. The proposal therefore complies with Local Plan policy GEN7(ii) and with the exception of visual subserviency accords with policy DEV19.

RESIDENTIAL AMENITY

There are adequate distances being retained between the proposed extensions and the side

boundaries which ensure that the extensions are acceptable from a residential amenity perspective. There will be no windows at first floor level or in the roof of the dwelling in the side elevations ensuring that no adverse overlooking results to adjoining residential properties to the east or west. The extensions are therefore considered to not cause any unacceptable overlooking, overbearing effect or loss of privacy and therefore comply with Local Plan policy DEV19(iii).

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 the no negative 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 drawing nos 2, 10,11, 12,13,14 and 15.

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 No development shall be carried out unless and until precise details of the proposed slate roof 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 extension.

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.

- 4 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.