

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

REF NO: LY/6/21/HH

LOCATION: 1 The Paddock
Lyminster
BN17 7QH

PROPOSAL: Erection of single storey front and rear extensions and internal alterations. This application affects the character and appearance of the Lyminster Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey front and rear extensions and internal alterations.

RELEVANT SITE HISTORY

LY/5/21/TPO	Tree Preservation Order for 3 x Silver birch Trees (T1, T2 TPO Determined & T3)	19-05-21
LY/2/21/TC	Fell 4 No. Birch trees within the Lyminster Conservation area.	Objection 30-03-21

REPRESENTATIONS

Lyminster Parish Council - No Response.

No response received from nearby occupiers.

Arun District Conservation Area Advisory Panel - No Objection. The appearance of the top of the front extension could be improved with say the use of a brick soldier course or brick corbelling rather than the stretcher bond shown on the drawings.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built-Up Area Boundary
Tree Preservation Order
Conservation Area

Area of Special Control (Adverts)
Arun Valley IRZ

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
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1, D DM4 and HER DM3 of the Arun Local Plan. Lyminster has does not have a Neighbourhood Development Plan.

Policy D DM1 sets out 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 existing host dwelling, its neighbours and the character of area.

Policy HER DM3 relates to Conservation Areas. It states that alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area.

Chapter 16 of the NPPF paragraphs 190, 192,193 and 196 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and the its weight against public benefits of the proposal.

DESIGN AND VISUAL AMENITY

The existing dwelling is a detached two storey dwelling located to the west of The Paddock and within the Lyminster Conservation Area. The existing dwelling is constructed of brick with a pitched tile roof. It also has a single storey flat roof extension to rear (west) of property. There is garden to rear (west) and driveway area to front (east). The neighbouring properties are 2 The Paddock to south. The surrounding area is residential in character and has properties of similar design.

The proposals are for a single storey front and rear extensions and internal alterations.

The proposed front single storey extension will be sited to the front south east corner of dwelling. It will

infill the south elevation and positioned just behind the principal front east elevation of host dwelling. Due to location at front (east) the extension will be highly visible from street scene. However due to design of extension at single storey it visually integrates with existing dwelling and does not adversely impact the character of surrounding area so complies with Policy D DM1 of the Arun Local Plan.

The proposed front extension will have a width of approximately 2.51m and depth of approximately 3.31m. The height to flat roof will be approximately 2.99m. There will be a new door on east elevation of extension facing driveway and two new windows, one fixed and one openable window on east elevation.

The proposed rear single storey extension will be sited to the rear south west corner of dwelling. It will infill the south elevation of host dwelling and join up to principal rear elevation of host dwelling to west. There will be internal alterations comprising of internal wall removal to allow existing snug room to be expanded into dining area. Due to location at rear of property, extension will not be viewable from street scene or surrounding area so will not adversely impact character of area and complies with policy D DM1 of the Arun Local Plan.

The proposed rear extension will have a width of approximately 3.03m and depth of approximately 2.29m. The height to flat roof will be approximately 2.76m and to top of roof light will be 2.96m. There will be new bi-fold doors on west elevation facing garden to west. There will also be 2 new roof lights on extension.

Arun recently adopted a Design Guide. It states that development should be subservient to the main dwelling and this complies in terms of size and scale. It states front extensions should not project forward beyond the predominant building line and this will comply. Whilst the extension flat roof does not continue the design of host dwelling pitched roof, the materials are matching so is acceptable. It also states for side extensions must not close important gaps in the street scene by leading to a terracing effect, or remove existing external access from front to back gardens. Whilst the proposals being within 1m of southern boundary do not comply, the gap remaining on north boundary of site is acceptable. It also states that for rear extensions in detached houses, impacts on neighbouring amenity in terms of privacy and overshadowing can often be avoided by keeping single storey extensions within a 45-degree line taken from the edge of the nearest ground and first floor windows of habitable rooms in the neighbouring property. The extension will pass this 45 degree test so is acceptable.

The proposed materials will match existing dwelling and consist of facing brickwork walls, flat roof materials and White uPVC windows so will comply with policy D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed front extension will have a width of approximately 2.51m and depth of approximately 3.31m. The height to flat roof will be approximately 2.99m. Whilst the extension will be within 0.22m of southern boundary fence there is no harm to increased overshadowing or overbearing effects due to extension being at single storey and siting of extension beyond the building line to neighbouring property number 2 to south.

Due to the new proposed windows and door in front east side elevation of extension there is risk to overlooking to south however due to being at single storey, location of existing boundary fence and siting of extension beyond building line to south there is no harm to overlooking to neighbouring properties to south. Due to large gap of around 17.2m remaining to east boundary of site and location of The Paddock road there is no harm to overlooking to neighbouring properties to east.

The proposed rear extension will have a width of approximately 3.03m and depth of approximately 2.29m. The height to flat roof will be approximately 2.76m and to top of roof light will be 2.96m. Due to siting of extension it will be around 0.64m remaining to southern boundary. Whilst this will increase risk of

overshadowing or overbearing effects to neighbouring property to south, the extension sited beyond building line to south and location of boundary fence will reduce impacts of overshadowing or overbearing effect so is acceptable.

Due to the new bi-fold doors in the west side elevation of extension there is increased risk to overlooking effects to property to south. However due to being at single storey and location of boundary fence to southern boundary there is no adverse harm to overlooking to neighbouring properties to south. Due to large gap of around 12.8m remaining to western boundary and no direct neighbours to west there is no harm to overlooking effects to west.

The proposed extension is not considered to result in harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

IMPACT ON CONSERVATION AREA

From the street the erection of the single storey front extension in matching face brickwork walls is not believed to negatively impact the setting of the conservation area. The rear extension will not be visible from the street. Therefore it complies with policy HER DM3 as it does not harm views in or out of the conservation area.

Para 190 of the NPPF requires the LPA consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage asset due to its minimal size and design so does not adversely impact the Conservation Area.

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.

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:

LOCATION AND BLOCK PLAN S301
Roof Plans A102
GROUND FLOOR PLANS A101
3D INTERNAL VIEWS A106
PROPOSED ELEVATIONS A104
EXISTING ELEVATIONS A103
3D EXTERNAL VIEWS A105

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 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.