

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

REF NO: Y/39/21/HH

LOCATION: 24 Cherry Avenue
Yapton
BN18 0LB

PROPOSAL: Single storey rear infill extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a single storey rear infill extension to 24 Cherry Avenue. The materials used to construct this extension will consist of the walls being brickwork and the roof being constructed from felt. The windows and doors will be UPVC. The extension will be at the rear and will have a boundary to the east of 11.92m and 0.92m to the south. At the rear (east) elevation the extension will have a height of 2.75m and length of 6.07m, there will be one window and one door at this elevation. At the side (south) elevation the height will be 2.75m and a length of 3.28m.
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REPRESENTATIONS

No comments from Parish Council.
No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

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

[Yapton neighbourhood plan 2014 Policy E4](#)

Minimising the environmental impact of development

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy E4 of the Yapton 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.

Furth guidance from the Arun Design Guide is relevant and referred to below.

DESIGN AND VISUAL AMENITY

The proposal will be to the rear and due to the location and single storey nature it will have no harmful impacts to the street scene and the wider area, so will have minimal impacts on the character and appearance of the area. This is also due to the proposal using similar materials that are used on the host dwelling, therefore matching.

This development matches existing walls, roof and windows of the host dwelling, resulting in the extension being well-integrated. Due to these factors, the extension is considered to appear subservient to, and well integrated with the host dwelling.

The proposal does not result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide. Also section M, referring to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling.

RESIDENTIAL AMENITY

The single storey rear infill extension doesn't have a significant impact on neighbouring properties due to it's position away from the boundary and single storey nature. The window and door at the rear (east) elevation has a significant boundary of 11.92m, therefore the impacts to the neighbour at the rear will be minimal. The single storey nature also means there will be no harmful overshadowing or overbearing impacts.

At the side (south) elevation its noted that the boundary is smaller at 0.92m, however there are no windows or doors on this elevation, resulting in no overshadowing impacts to the neighbour.

The development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan and part M of the Design Guide.

SUMMARY

The development is deemed to accord with 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:
 - Location plan, block plan and proposed floor plans and elevations sheet 1 of 2.

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.