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

REF NO: **AB/108/16/HH**

LOCATION: 13 Fitzalan Road
Arundel

PROPOSAL: Loft conversion with front & rear dormer windows & new first floor window to front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Front and rear roof dormers at second floor level. The materials of construction are to be zinc cladding with aluminium with grey powder coating to match. The front dormer would measure 3.1 metre in width, set in 1.2 metres from the edge of the roof on either side and set back 0.9 metres from the first floor eaves level. The height would be 2.3 metres 20 cm below the ridge with a flat roof incorporating double length windows at 1.7 metres in height by 2.7 metres in width divided into 8 panels. The rear dormer would be 4.8 metres in width occupying the majority of the width of the roof to within 40 cm of the roof edge on either side. The dormer would be set back 0.9 metres from the first floor eaves level. The fenestration would be in the form of a Juliet balcony with opening doors across the length of the dormer. The flat roof of the dormer would be set below the ridge of the main roof by 30cm.
SITE AREA	0.03 hectares
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1 metre close boarded fence to front. 1.8 metre close boarded fence to rear.
SITE CHARACTERISTICS	An inter war (1930's), mid terraced two storey property with a pitched roof. The property is constructed of brown bricks, brown clay roof tiles and white UPVC doors and windows. The

	front garden is 6 metres in length converted to hardstanding for car parking and the property has a 34 metre long rear garden with open countryside beyond
CHARACTER OF LOCALITY	The property is located in a primarily residential area, close to the built up area boundary of Arundel on the southern side of the river Arun. The housing types vary nearby, consisting of terraces dating from the inter war period in the case of applicants terrace, Victorian and modern terraces along with modern semi detached bungalows and two storey properties. Box roof dormers are a feature of 5 bungalow properties within a 200 metres of the applicant's property on the south east side Fitzalan Road.

RELEVANT SITE HISTORY

AB/31/84 - Rear extension, alterations and a shared front porch at 11,13,15 Fitzalan Road) - Approved

REPRESENTATIONS

Representations received:

Arundel Town Council

Objection on the grounds of overdevelopment of the property and detrimental to the street scene.

Comments on Representations received:

noted

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/a

POLICY CONTEXT

Designation applicable to site:
Adopted Local Plan

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
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

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton. There are policies in the Arundel NP applicable to this proposal.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 site is within the built area boundary where the principle of development is acceptable subject to compliance with relevant development plan policy. The most relevant policies to the determination of this application will be policies DEV19 and GEN7 of the Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY
The application seeks permission for front and rear dormers in the roof at second floor level.

The front dormer by virtue of its size, location and high quality design is considered to appear sympathetic to the character and appearance in the streetscene and subservient to the host dwelling.

The width of the dormer matches the fenestration below and is set well back from the eaves and sides of the host properties roof below the primary roof ridge line. The front of the dwelling would have a stepped appearance from the proposed roof dormer to the primary front elevationat first floor level to a projecting ground floor porch extension forward of the primary front elevation on the host property (and two neighbouring properties).

The high quality and demure grey colouration of the materials of construction, zinc cladding and powder coated aluminium window frames, further add to the recessive appearance of the dormer as well as adding to interest as a high quality design feature within the street scene.

Fitzalan Road is broad road in this vicinity with a separation between opposite terraces in this location of 23 metres such that the dormer will not dominate the street scene and will integrate further due to a significant number of other box roof dormers close to the applicant's property.

An objection has been received from Arundel Town Council on the grounds of overdevelopment of the property and detrimental to the street scene. On balance given that on assessment above of the design and visual amenity aspects of the scheme it complies with local planning policy and

given that no harm can be said to be caused by the proposal the objection in terms of neighbour amenity the objection is not considered sufficient to justify a refusal of the scheme overall.

The rear dormer by virtue of its high quality design appears well integrated with the host dwelling through the use of sympathetic demure coloured materials and a set back of 0.9 metres from the eaves line.

It should also be noted that other than the fact that the materials of construction do not match that of the host building (i.e. it is to be zinc clad rather than using brown clay tiles) the size and form of the rear dormer would otherwise comply with the limitations of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015.

The front and rear dormers are considered to comply with policies GEN7(ii) and DEV19 (i), (ii) & (v) of the Local Plan.

RESIDENTIAL AMENITY
The front and rear dormers due to their position and distance from neighbouring properties and property boundaries will not give rise to any unacceptable overlooking, overshadowing or overbearing impact.

The front dormer is separated by 23 metres from the properties opposite on Fitzalan Road. The impact on overlooking and overbearing impact on ground and first floor windows is therefore unlikely to cause any harm to neighbours amenity opposite and no impact will occur on directly neighbouring properties front elevations.

The rear dormer does add fenestration in the form of a Juliet balcony at second floor level which will give rise to some additional overlooking to the rear of neighbouring gardens however this is not considered to be unacceptably adverse given the length of the rear gardens, the outlook toward open countryside at the rear and the lack of any direct views to the rear elevations and amenity space immediately to the rear of neighbouring dwellings and A condition ensuring no further windows to the side elevations of the rear dormer will be added to ensure the protection of privacy to neighbouring properties

The front and rear dormers are deemed to be in accordance with policies GEN7(iv) and DEV19(iii).

SUMMARY
It is recommended that the application is approved subject to the conditions below.

HUMAN RIGHTS ACT

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;
13FR_04Rev 1 - Plans as Proposed.
13FR_05_Elevations as Proposed

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 and DEV 19 of the Arun District Local Plan.

3 The materials and finishes of the external walls and roofs of the roof dormers are to be retained as set out in the application form associated with this application.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

4 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.