

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

REF NO: AB/44/21/HH

LOCATION: Fern Cottage
5A Surrey Street
Arundel
BN18 9DT

PROPOSAL: Proposed loft conversion (This application may affect the setting of the Arundel Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of loft space including a rear box dormer, measuring approximately 4m in length by 3.2m in depth by 2.3m in height, and rooflights to front elevation.
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REPRESENTATIONS

Arundel Town Council - Objection
-Effect on street scene and view.

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Advisory Panel - Objection
-Change to roof shape will appear incongruent within street scene.
-Very large rooflights will detract from appearance of street scene and the setting of the listed buildings.
-Conflict with policy relating to protection of conservation area.
-Plans show inconsistencies with existing windows.

POLICY CONTEXT

Designation applicable to site:
Arundel Conservation Area
2km Buffer Zone SSSI

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
HERSP1	HER SP1 The Historic Environment

[Arundel Neighbourhood Plan 2018-2031 AR1](#)

Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPDG National Design Guide

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

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.

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 host dwelling, its neighbours and the locality.

Policy HER DM3 relates to conservation areas and state that proposals must protect and if possible, enhance the setting of each.

Chapter 16 of the NPPF paragraphs 190, 192, 193 and 194 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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, roof extensions should not be visually intrusive or block light into surrounding properties and dormers should be positioned in discreet locations, on the rear of the property wherever possible. In general roof extensions should not detract from the character and appearance of the building and local area.

Policy AR1 of the Arundel Neighbourhood Development Plan states built up area boundaries remains an important feature of the new Local Plan in distinguishing how planning applications are considered if they relate to land inside or outside a boundary.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a rear box dormer to enable the conversion of the loft space within property, the application also seeks to install 2 roof lights to the front elevation. The resultant space will provide a new master bedroom and en-suite. To accommodate for the large dormer window the ridge of the main section of roof will be converted from a barn end to a gable, the ridge length will increase by approximately 1.1m. It is noted that there are inconsistency's in the plans as the proposed north elevation does not show this change and shows the retention of the barn end. It has also been brought to my attention that there are inconsistencies in the windowpane configuration of the elevations supplied.

Policy D DM4 of the Arun local plan requires proposals to be visually sympathetic and subservient to the character of the building and its locality. Although this building is not listed as it is of modern construction, it has been designed to mimic other buildings of significant character along Surrey Street, and it does form part of the Conservation Area. It is considered that the large box dormer is overly dominant on the building and out of character with other dormers in the area. Additionally, the application form refers to no materials being used in the external construction of the dormer, without the information relating to

materials it is impossible to comprehend if it would be visually sympathetic. However, its form and size and scale of features i.e. window, appears incongruent within the elevation, the large window on the upper floor appears top heavy.

From the street the proposal includes two large rooflights to the front elevation. The street scene forms an important feature of the conservation area, which is made up of, two-storey listed terrace cottages forming long uninterrupted roof sections. The rooflights will result in breaking up the roof plane and therefore detracting from the character of the conservation area and terrace of listed building to the west.

Having regard to the design and visual amenity, the proposal is deemed to conflict with D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

OVERLOOKING, OVERBEARING AND OVERSHADOWING

As the proposed box dormer is to be located within the existing external footprint of the host dwelling and lower than the existing ridge, the proposal is not believed to be overbearing on neighbouring properties and not cause any negative effects of overshadowing.

In terms of overlooking, this is to be a very large full length window situated within the rear dormer. This will give new higher level views across the private amenity space of various neighbouring properties however, in this highly built-up area, views of this nature are historically intrinsic for the area and therefore this is not seen as a reason to refuse this application.

It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

EFFECT ON THE SETTING OF A CONSERVATION AREA

The property is situated within the Arundel Conservation Area. Its northern (front) elevation abuts the street. The dormer proposed to the rear of the property can not be seen from the front however in order to accommodate the dormer the main ridge line must be changed from a barn-end to a gable, lengthening the ridge in the process. The property is part of a semidetached building. Both the existing eastern and western elevation have this barn-end therefore the alteration of one, will in effect unbalance the look of the building.

More significantly to the Conservation Area is the insertion of two large roof lights to the northern elevation. The roof lights will have the effect of breaking up the uninterrupted roof plane running along the street and detract from the character of the conservation area and negatively impact the listed buildings to the west.

Paragraph 190 of the NPPF requires the council to consider the significance of the impact on the asset. The box dormer to the rear has minimal effect on the street scene, however the roof lights to the front will negatively impact the uninterrupted roof plane, at a minimum conservation roof lights would have been more appropriate.

Under paragraph 194 if the proposal is deemed to harm the significance of the heritage assets then the harm should be clearly and convincingly justified by the work.

Justification may include heritage benefits such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- Reducing or removing risk to a heritage asset
- Securing optimum viable use of a heritage asset in support of its long-term conservation.

This proposal is deemed to harm the character of the Conservation Area. No justification has been

offered by the applicant and none can be found by the officer. As the property will continue to be used for residential purposes it will therefore continue to protect the character of the conservation without the need for the works to be undertaken, as such the proposal is considered unacceptable and will conflict with policy HER DM3 of the Arun Local Plan.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

REFUSE

- 1 The development has a harmful impact upon the character of the Conservation Area and the wider setting due to its over dominant appearance being incongruent in the street scene and it significant scale. The development conflicts with D DM4 and HER DM3 of the Arun Local Plan,
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.