

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

REF NO: AL/133/17/HH

LOCATION: Holly Cottage
27A Belle Meade Close
Aldingbourne
PO20 3YD

PROPOSAL: Front dormer window & larger dormer window to rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The front dormer will be 2.25m wide, 2m high and extend a maximum of 2.1m from the roof plane. It will serve the first floor landing. Within the rear dormer, a high level double pane window will be replaced by a double pane window of a size to match the other two existing windows on the rear. These will serve the stairs.
SITE AREA	140 square metres.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Site is bounded by opening double timber gates on the road frontage and a mix of boundary walls and fencing all around 1.9m in height.
SITE CHARACTERISTICS	Site comprises a two bedroom red/brown brick & concrete tiled dwelling converted from a former garage/store building, along with its own brick built double garage at the end of a garden. It is noted that contrary to the submitted existing drawings, the dwelling retains a garage door within half of its frontage.
CHARACTER OF LOCALITY	Belle Meade Close is a cul-de-sac which is accessed from Westergate Street and is characterised by two storey detached, semi- and link-detached dwellings, many with integral garages. There are other front dormers in the local area such as at nos. 1 and 21-25 Belle Meade Close.

RELEVANT SITE HISTORY

AL/114/17/NMA	Application for a non- material amendment following the grant of AL/25/12/ for amendment to roof design & fenestrations.	Approve 09-02-18
AL/25/12/	Small extension to the height of boundary walls, infill wall & new low pitched roof to form garage to serve dwelling.	ApproveConditionally 27-06-12

AL/30/11/	Conversion of existing detached garage and store into a 2-bedroom dwelling	Refused 01-06-11 Appeal: Allowed+Conditions 12-11-11
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An appeal against the refusal of consent (AL/30/11) for the conversion of an existing detached garage and store into a 2 bed dwelling was allowed in November 2011. The approved plans also indicated the use of an existing three sided structure as a gated parking area. The three sided structure was subsequently turned into a garage by virtue of AL/25/12.

It is noted that the Inspector who determined the appeal of AL/30/11 considered that the windows on the rear dormer were acceptable as they would be obscure glazed and have restricted opening.

Planning ref AL/114/17/NMA then enabled a modification of the plans approved by AL/25/12 such as to (a) reduce the eaves height of the existing detached garage roof by approximately 0.25m (whilst retaining the ridge height at 3.5m); and (b) alter the fenestration to the side elevation onto the garden from a door & window to a set of folding glazed doors with fixed side lights.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

"No objection"

One objection from no. 8 Belle Meade Close diagonally opposite the site stating that "The building is not lived in and never has been. Previous application was for a garage. Parking is already at a premium on a small Close. The dormer would overlook our property which we are not happy about"

COMMENTS ON REPRESENTATIONS RECEIVED:

It is noted that the dwelling still has a garage door on its front elevation and this may indicate that it has not yet been finished/occupied. However, occupancy of a building is not a planning consideration. It is not considered that the additional windows give rise to any increased demand for parking. The new front dormer window will allow views of the front windows of properties opposite the dwelling but at a distance of at least 16m. It is also noted that views of no. 8's front windows are at an oblique angle.

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER - No objections.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designation applicable to site: Within Built Up Area Boundary.

DEVELOPMENT PLAN POLICESArun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

SD SP1	Sustainable Development
SD SP2	Built -Up Area Boundary
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

Aldingbourne Neighbourhood Plan 2016 POLICY EH1

Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
	New housing or altering dwellings
	Quality of 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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

The relevant policies of the Aldingbourne Neighbouring Plan are considered within this report.

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 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 up area boundary where development is acceptable in principle subject to normal development control criteria being satisfied such as design, visual & residential amenity and highway safety/parking.

RESIDENTIAL & VISUAL AMENITY:

Arun District Local Plan Policy GEN7 indicates that planning permission will only be granted for schemes displaying high quality design & layout and do not have an unacceptable adverse impact on adjoining occupiers. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene, not result in a terracing effect and be visually integrated with & sympathetically relate to the existing dwelling. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

Aldingbourne Neighbourhood Plan policy H1 states that: "Proposals for new housing or extending or altering existing dwellings should be of a high quality design that reflects the local character and reinforces local distinctiveness. Proposals must demonstrate how they meet the policies set out in the Plan."

The change to the rear windows could have a greater impact, in terms of overlooking, on the gardens of the dwellings to the rear. However, in line with the considerations of the previous Inspector, the windows will be obscure glazed and non opening. Therefore, they will only serve to allow greater light to reach the stairs of the dwelling.

The new front dormer has been designed to be a subservient addition to the building and features a pitched roof design found elsewhere in Belle Meade Close. Matching materials will ensure that it is visually integrated with the existing dwelling. The new front dormer window will be at most around 1.2m further forward than the existing front velux windows. This will therefore result in occupiers being slightly closer to the dwellings opposite. However, the increase is not considered to be significant and there will remain a healthy interface distance of at least 16m between the respective front windows.

Therefore, the scheme is not considered to have materially adverse impact on the visual amenity of the dwelling, character of the area or the residential amenity of adjacent dwellings.

SUMMARY:

It is considered that the application complies with all development plan policies and it is therefore recommended that planning permission be granted 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 and Site Plan 06/10/217;
Proposed Site Plan 27/11/17;
Proposed Floor Plans & Sections 14/12/17;
Proposed Elevations 06/10/17; and
Proposed Roof Plan (27/11/17).

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 The materials and finishes of the external walls and roofs of the new front dormer hereby permitted shall match in colour and texture with those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 4 The enlarged landing windows on the rear elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.
- 5 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.