

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

REF NO: AL/40/25/HH

LOCATION: Jasmine Cottage
4 Dukes Road
Fontwell
BN18 0SP

PROPOSAL: Proposed flat roof rear dormer to replace 3 No. hipped roof dormers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Aldingbourne Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers - No response received.

POLICY CONTEXT

Lidsey Treatment Catchment Area.

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)
WDM1	W DM1 Water supply and quality

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

DESIGN AND VISUAL AMENITY

The site is a detached dwelling on Dukes Road. The application seeks the removal of 3 hipped roof rear dormers and replacement with 1 flat roof rear dormer. Views from Dukes Road of the existing dormers are restricted as a result of the dormers being sited within the rear roof slope. The proposed replacement dormer to the rear of the property would not result in any changes to the principal elevation. The development would therefore have no visual impact upon the character of Dukes Road to the north (front).

The proposed rear dormer would measure 8.5m wide, 1.5m deep and 3m high. It would be set down 0.8m from the main ridge of the dwelling, and set in 1.1m from the flank elevations. The dormer will be finished with hanging tiles to match existing, and the windows will be white UPVC to match existing. The dormer is in partial conflict with the Arun Design Guide, which states that dormers should be minor incidents on the roof plane and incorporate pitched roofs in most cases, avoiding large box-shaped designs. However, as the dormer is to the rear of the property thus will not be visible from the public realm and is similar to that which could be constructed under permitted development. As such, the proposed rear dormer is acceptable in this instance.

Although there is some conflict with the Arun Design Guide, the proposal would not result in harm to the character and visual amenity of the dwelling or the wider area. As such, the proposed development is in accordance with Arun Local Plan policies D DM1 and D DM4.

RESIDENTIAL AMENITY

Part M of the ADG states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed rear dormer would maintain 3 windows which would be sited in similar positions to those existing. The overlooking effects across neighbouring properties would be similar to the level already experienced by nearby occupants and the proposal would not result in increased overlooking. The dormer is contained within the footprint of the existing building, therefore the proposal would not result in overbearing or overshadowing effects.

Additionally, 1 rooflight is proposed to the flat roof of the dormer. Due to the siting of the rooflight, it would not give rise to any overlooking concerns.

The proposed development is in accordance D DM1 and D DM4 of the ALP and Part M of ADG in that it will not give rise to adverse overlooking, overbearing or overshadowing effects.

LIDSEY TREATMENT CATCHMENT AREA

The application site is located within the Lidsey Treatment Catchment Area. The Drainage Engineers have been consulted on this application, however no response has been received.

The replacement dormer would not alter the footprint of the building, and all proposed works would relate solely to the existing rear roof slope of the host dwelling. As such, the proposed development would not increase the risk of flooding elsewhere, and is acceptable in accordance with policy W DM1 of the Arun Local Plan.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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 not CIL liable.

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 and documents:

- Location Plan
- Proposed Block Plan 102
- Proposed Ground Floor Plan 110
- Proposed First Floor Plan 111
- Proposed Roof Plan 112
- Proposed Elevations 120A
- Lidsey Drainage Impact Assessment

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

- 3 Based on the information available, this permission is exempt from the requirement to provide

a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.