

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

REF NO: A/8/14/

LOCATION: Dunster House
The Thatchway
Angmering

PROPOSAL: Loft conversion including front dormer window

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The loft conversion as described involves inserting a front dormer and two rear dormers on the property. The front dormer measures approximately 3m in width, approximately 2.5m in depth and approximately 2.5m in height. The two rear dormers measure approximately 1.2m in width, approximately 2.4m in depth and approximately 2.4m in height. The proposed dormers will have tile hung sides and plain tiled roofs.
SITE AREA	Approximately 750 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Low level hedging to front at approximately 1m in height. Mixed hedging and trees to rear at generally over 2m in height.
SITE CHARACTERISTICS	A two storey detached property with brown brick elevations and a pitched roof with plain tiles. There is an attached garage, front porch and a ground floor bay window.
CHARACTER OF LOCALITY	Predominantly residential in a rural setting. There are fields and farmland to the north and neighbouring properties line the road of The Thatchway. A public footpath is situated directly opposite the property.

RELEVANT SITE HISTORY

A/153/87	Garage, study and front porch	ApproveConditionally 26-10-1987
A/65/04/	Convert garage into studio with front bay window	ApproveConditionally 06-07-2004

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Outside the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections (February 2014):	D DM1 Aspects of Form and Quality D DM4 Extensions & Alterations to Existing Buildings
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PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication

at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

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 once the remaining chapters / policies have been published.

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 located outside the built up area boundary where the principle of new development is unacceptable. In such locations, extensions and alterations to residential buildings will not be permitted, unless the proposal complies with relevant Local Plan policies which in this case is primarily DEV19.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a loft conversion which will provide two new bedrooms at the property. The loft conversion involves inserting a dormer in the front roofslope

and two dormers to the rear. All will have tile hung elevations and plain tile pitched roofs.

The front dormer is centrally located within the roofslope and set down below the ridge line. It is comparatively small when set against the size of the roofslope and has a modest projection of approximately 2.5m. The property is well set back from the road and there are front dormers at Scandrett immediately to the east so that the proposal can be accommodated in the street scene without demonstrable harm to visual amenities.

The proposal is therefore considered to comply with relevant policy DEV19(i) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The front dormer will face north to open farmland. The rear boundaries comprise a good level of screening including trees and hedging and coupled with a sizeable rear garden means that there will be no harmful overlooking created by the rear dormers. Beyond the rear garden there is a golf course at a considerable distance away. There are no side windows being proposed in the front and rear dormers that would give rise to any overlooking on to neighbouring properties. Consequently, the dormers will not cause any harmful residential effects by way of overshadowing, overlooking or loss of privacy.

It therefore complies with policy DEV19(iii) of the Local Plan.

It is therefore recommended that the application is approved, 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 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, a neutral impact has 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.

As a neutral impact has been identified, no mitigation is proposed.

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: Block plan, proposed elevations and floor plans dated November 2013, Existing elevations and first floor plan dated December 2014.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the roof tiles used in the front and rear dormers hereby permitted shall match in colour and texture to 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 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.