

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

REF NO: CM/3/18/HH

LOCATION: Atherington Lodge
Climping Street
Climping
BN17 5RN

PROPOSAL: Raising of first floor to utilise attic space.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed development involves the creation of a first floor beneath a redesigned roof.
	The resulting building would be approximately 5.9m high (max) with an addition full first floor wall height of 1.5m being approximately 3.5m to eaves level. There would be an increase in roof length to approximately 17.5m.
	5 dormer windows are proposed in the front and rear roof slopes. 4 are matching and measure 2.5m wide and 2.2m high. The other dormer is 2.4m wide and 2.4m high and has glazed doors.
	Materials would match the existing property.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	A 2 metre flint and lime wall with a 3 metre hedge to the rear of the garden.
SITE CHARACTERISTICS	A detached bungalow property on a large plot that has been incrementally added to in
CHARACTER OF LOCALITY	A hamlet of dwelling houses and a bed and breakfast within 100 metres of Climping Beach front.

RELEVANT SITE HISTORY

CM/11/17/HH Detached home office

ApproveConditionally
07-06-17

REPORT(ODB)

CM/5/08/	Single storey rear extension with balcony over and three dormers	ApproveConditionally 04-04-08
CM/19/06/	Conservatory.	ApproveConditionally 24-11-06
CM/35/03/	Oak Framed Garage	ApproveConditionally 21-11-03

A number of extensions and a detached outbuildings have been added to the property.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council

Climping Parish Council has no objection to this application but comments that it is important that works are carried out in accordance with planning permission based on the plans submitted.

One objections has been received as follows

The addition of 2 new windows on the west side of the roof where currently there are none. These 2 windows will look west, towards my property, rear garden, patio area and directly at the windows of the main bedroom. Given that the Lounge and Kitchen are to be relocated upstairs, overlooking is more likely to happen as these rooms will be used during daylight hours than if these were to remain as bedrooms. If these 2 windows are to remain, would it be possible for the glass to be opaque to allow light into the property but not views out of it ?

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and addressed in the conclusions below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

PD RESTRICTION

ADOPTED LOC PLN

OUTS BUILT AREA

SPEC CONT ADVTS

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN3	Protection of the Countryside
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

C SP1	Countryside
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

Clymping Neighbourhood Plan 2015 Policy CPN11 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. A consultation into the proposed modifications ended in February 2018.

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 policy in the CNP has been taken into account.

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

The application site is situated outside the built up area within a rural location close to Climping Beach. However, it is also within an established residential area where the principle of development can be acceptable subject to compliance with relevant development plan policy.

The proposed development effective involves a redesign of the property by creating a full first floor and redesign of the roof. The proposed roof alterations significantly alter the shape of the building. However, change is not necessarily harmful. The ridge height of the property remains the same as the existing property although due to the change in shape to provide a crown roof together with 5 large dormer additions the bulk of the building is increased.

The proposed dormers also alter the existing dormer windows on the rear elevation and create two new dormers on the front elevation. The dormers are of similar size and shape except the central one to the rear which is larger to accommodate glazed doors. The dormers are well positioned in the proposed roof slope and do not appear as unduly dominant additions on the roof slope. The proposed changes would be visible from the lane and also surrounding properties.

Therefore, the extensions and alterations as a whole alter the design, scale and bulk of the original property. However, the nearby properties are of varying design and size and therefore an increase in height and bulk is not considered inappropriate in its streetscene context, particularly given the spacious plots and separation distances between properties. Furthermore, national guidance in the NPPF states "planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." As such whilst the style of the resultant property is different and is not subordinate to the original house it is not considered, on balance, that its scale, bulk and detail is out of character or harmful with the wider area which has a mix of styles and sizes.

The materials would match the existing property.

Therefore, whilst there are significant changes to the existing property the proposed extensions and alterations are not considered to be harmful to the character and appearance of the host property or the wider area.

With regard to amenity of adjoining properties the nearest would be those at Atherington Farm to the south. There are no windows in the first floor side elevation facing these buildings. In addition, given the separation distance the proposal will not be unduly dominant upon them. Therefore, there is no adverse impact upon the amenity of the occupiers of these properties.

To the east and north the rear and side elevations of the proposed development overlook farmland. To the west there is 1 & 2 Atherington Cottages. It is noted that concerns have been raised regarding overlooking from the development particularly due to the layout of living accommodation being on the first floor. The proposed scheme does introduce two first floor dormer windows in the elevation facing these properties. One serves the kitchen and the other the lounge, it is noted the one in the kitchen is over the staircase. These windows will provide new views towards the properties at Atherington Cottages. However, given the separation distance, the application property is approximately 29.5m to the boundary of the site at its nearest point and the proposed dormer windows would be approximately 33m and 36m from the boundary. The Cottages themselves are a further distance away in excess of 100m. Given this separation distance, even in such a spacious rural location, it is not considered that a refusal on the basis of loss of privacy or loss of outlook could be justified and sustained. In such circumstances it is also not considered reasonable to impose a condition requiring obscure glazing.

Therefore, it is considered that the proposed development will not lead to an unacceptable impact upon the amenity of adjoining occupiers.

There are no parking implications arising from the proposed development.

In summary, on balance the proposed development is not considered to be visually obtrusive or prominent to merit refusal of planning permission nor would it have such an adverse impact on the visual or residential amenity to merit refusal on this ground. The proposed development complies with adopted planning policy in the Arun Local Plan 2003 and the Climping Neighbourhood Plan. As such the proposed development is therefore recommended for approval subject to the following conditions.

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
site plan, block plan, 08/396/01, 08/396/02, 08/396/03 & 08/396/04.

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 roof of the extension hereby permitted shall match in colour and texture 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 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.