

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

REF NO: EP/106/17/PL

LOCATION: The Dolphins (east)
South Strand
EAST PRESTON

PROPOSAL: Loft conversion of existing building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks planning permission for a loft conversion through the alteration of the roof and addition of dormer windows.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The boundaries of the site consist predominantly of mature planting and fencing to a height of approximately 2m.
SITE CHARACTERISTICS	The site is occupied by a semi-detached chalet bungalow with rendered elevations and a tiled roof.
CHARACTER OF LOCALITY	The character of the locality is predominantly residential and consists of properties of various designs and styles.

RELEVANT SITE HISTORY

No comments.

REPRESENTATIONS

Representations received:

East Preston Parish Council

The council agreed to object to this Application as it is contrary to the made East Preston Neighbourhood Plan (Policy 2: Design in Character Area One) as it does not protect the view from the beach . The proposed south elevation will be a major modernisation on the existing property.

Furthermore, the council objects to this Application as it believes the proposal is unsympathetic to this c1911 property, will compromise the look of this building and will result in an unbalanced property very much of two halves. This is contrary to Policy 1: Housing General Principles as the proposed alterations are not deemed to reflect or enhance the architectural and historic character and scale of the surrounding buildings in this case Dolphins (West).

For these reasons this council asks Arun District Council to consider seriously refusal of Planning Permission for this proposal.

1 No. letter of objection:

The main defect of this application is that it does not treat The Dolphins as a single building. It proposes alterations to the eastern section of the building which ensure that the two parts of the building would be in clashing styles. They should harmonise.

The western section has a single dormer with a door leading to a balcony. This application proposes that the whole length of the eastern section at first floor level would comprise tall windows leading onto a balcony, which would have a glazed balustrade. It would therefore form a complete contrast to the western section, and would be out of character with the design of the existing house.

This new balcony and windows are nominally at the rear of the building but are at the side visible to the public, from the beach. The northern side of the building is hidden from the road by newer houses.

The proposed alterations would conflict with Policy 1 of the East Preston Neighbourhood Plan, because the result would not reflect the character of surrounding buildings. It would also conflict with paragraph 4.16 because the result would be unbalanced and would not look as if the alterations were part of the original design of the house. The alterations would also conflict with Policy DEV19 (i) of the Arun Local Plan because they do not sympathetically relate to the design of the existing building.

For these reasons, we believe that planning permission should be refused.

Comments on Representations received:

Comments noted and these matters will be considered in the conclusion to this report.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
 GEN2
 GEN7

[Publication Version of the Local Plan \(October 2014\):](#)

[East Preston Neighbourhood Plan 2014 Policy 1](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
SD SP2 Built-Up Area Boundary
Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 2 Design in Character Area One**PLANNING POLICY GUIDANCE**NPPF
NPPGNational Planning Policy Framework
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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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 East Preston Neighbourhood Plan has been made and policies 1 and 2 are considered relevant to the determination of this application.

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 application site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policy. In this case the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Local Plan; Policies 1 and 2 of the East Preston Neighbourhood Plan (EPNP); and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed alterations will consist of a loft conversion and creation of a dormer window or provide first floor living accommodation. This will see the ridge height of the existing dwelling increase by approximately 0.75m. It is considered that the proposed alterations will have a limited impact upon the appearance of the dwelling when viewed from the north. When viewed from the south the proposal will introduce significant glazing at first floor level. Despite this the alterations to the existing dwelling are considered to appear well integrated and subservient to the host dwelling in accordance with policy DEV19(i) and (ii) of the Arun District Local Plan.

The application site was formerly occupied by a single dwelling but was historically subdivided to provided two separate units of accommodation. An objection has been raised in relation to the proposal by virtue of the fact that it would conflict with the character of the western section of the dwelling. However, it is considered that the two sections are currently not well related and lack clearly identifiable symmetry. It is intended for the materials to match those of the existing dwelling whilst the proposed increase in ridge height will be in line with the roof of The Dolphins (west). It must also be considered that The Dolphins (west) already features a first floor dormer with balcony. Therefore, it is considered that the proposal will not adversely impact upon the

established character of the host dwelling or that of its neighbour.

The proposed alterations (with the exception of the ridge height increase and the 1 no. roof light on the northern elevation) will be situated to the rear of the dwelling. The property by virtue of its location will not be visible from the highway and the proposed rear alteration will only be visible from the private beach. It is acknowledged that Policy 2 of the EPNP seeks to protect views from the beach. However, it is considered that the increase in ridge height of 0.75m will not constitute a conflict with this policy.

The character of the locality is varied with single storey and two storey development in close proximity. It is considered that the proposed roof alterations will not have an unacceptably adverse impact upon the character of the locality. Therefore, the proposed development is not deemed to conflict with the aims of policy 1 of the EPNP or GEN7(ii) of the Arun District Local Plan.

Therefore, the design of the proposal is deemed to accord with relevant development plan policies.

RESIDENTIAL AMENITY

The proposal by virtue of its design and location is not considered to give rise to any unacceptably adverse overbearing or overshadowing impacts upon the residential amenity of neighbours.

The proposal will feature 2 no. first floor balconies on the southern elevation and as such will have the potential to give rise to overlooking of neighbouring properties. It is proposed that 1.8m high obscured screening will be installed on the eastern elevation of the eastern most balcony and on the western elevation of the western most balcony. It is considered that the western most balcony by virtue of its location and the presence of the screening will not give rise to any unacceptably adverse overlooking of neighbouring properties.

However, whilst the eastern most balcony will not give rise to any unacceptably adverse overlooking to the east of the site it will be situated 7m from the western boundary. Despite the boundary treatments present it is considered that this balcony will have the potential to give rise to unacceptably adverse overlooking of Dolphins (west). Therefore, a condition has been included with this recommendation report requiring the submission of details for screening to the western edge of the eastern most balcony.

It is considered that subject to the below conditions that the proposal will accord with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policy and as such is recommended for approval subject to the below 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;

- Block/Site Plan - Dwg No. 100
- Proposed Floor Plans - Dwg No. 101
- Existing and Proposed Roof Plans - Dwg No. 102
- Existing and Proposed Elevations - Dwg No. 103
- Existing and Proposed Elevations - Dwg No. 104

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 development 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.