

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

REF NO: EP/109/25/HH

LOCATION: 94 North Lane
East Preston
BN16 1HE

PROPOSAL: Proposed loft conversion, first floor rear extension and alterations to fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

East Preston Parish Council - No objection, however, the following is to be noted.
The committee asked ADC to be particularly aware of how the proposed alterations could unbalance this pair of bungalows. The committee was also concerned about whether the proposed two-storey extension at the rear of the property would lead to undue overlooking of the neighbours. The same concern was raised about the proposed Juliet balcony on the same elevation.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built Up Boundary Area.
Within an area with potentially high ground water.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

[East Preston Neighbourhood Plan 2014 Policy 1](#) Housing - General Principles

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 semi-detached bungalow located at 94 North Lane. This application seeks planning permission for the construction of a proposed loft conversion, first floor extension, and alterations to fenestration. Part of the proposed works would be visible from the street scene.

The proposed development is sited within a residential area with a wide variety of semi-detached dwellings with varying sized loft conversions, rear first floor level additions, and single storey extensions. It is noted that the hip to gable roof extension would unbalance this pair of semi-detached bungalows. Notwithstanding this, it is noted that the hip to gable roof extension alone could be constructed under permitted development. The extension respects the original roof ridge height and it would not reduce the separation distance between the host dwelling and neighbouring properties. It is noted that the street scene is characterised by hipped roof bungalows, however there is an example of a similar roof extension at No.90 North Lane. As such, the proposed hip to gable roof extension would not result in harm to the character or appearance of the host dwelling or street scene.

Existing fenestration at ground floor level would be maintained and three rooflights are proposed to the front (south) roof slope. The rooflights would be proportionate in scale and number in accordance with policy 1 of the East Preston Neighbourhood Plan (EPNP). Furthermore, there are examples of front rooflights in the street scene and therefore would not result in any harm in this regard.

The proposal would be finished with plain clay tiles to match the existing roof and fenestration would be finished in white uPVC.

On the side (west) elevation, the proposal would maintain the approximate depth of 12.7m. The proposed loft conversion and first floor extension would extend over the existing single storey rear projection, increasing the height by 1.9m to 5.7m and increasing the maximum eaves height by 3m to 5.4m. The proposed flat roof would be finished in grey EPDM and contain a single flat rooflight (western flank) and would be finished in white uPVC. The rooflight would be in accordance with Part M of the Arun Design Guide (ADG) as it would maintain the privacy of the neighbouring properties. The development would alter the bulk of the host dwelling; and it is noted that the proposal would not be a subservient addition to the host dwelling, however the main roof ridge height of the dwelling would be retained, and the development would not project beyond the original footprint of the property which helps to minimise any visual harm upon the locality and complies with the ADG.

The proposal would be finished with horizontal weatherboard in grey to first-floor dormer cheeks and gable end, and the existing chimney would be removed.

Proposed fenestration on the side (west) elevation at ground-level would remove an existing window, whilst at first floor level there would be two new obscurely glazed and non-openable windows finished in white uPVC.

Proposed fenestration on the rear (north) elevation at ground level would be maintained, whilst at first floor level the proposed fenestration would replace the existing rooflight (northern roof plane) with a Juliet balcony. The proposal would be finished in white uPVC.

Whilst the proposal would alter the scale and appearance of the dwelling, the use of matching materials ensures the extension integrates appropriately with the host dwelling and preserves its character. It is noted that the proposal would result in a larger rear form, however, the overall ridge height would remain in keeping with adjacent and surrounding properties. On balance, its overall design, scale and massing are considered acceptable and would not result in harm to the character, appearance, or visual amenity of the street scene, and therefore, the proposal is considered to be in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 1 of the EPNP.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed hip to gable roof extension would increase the bulk and massing of the dwelling closer to the neighbouring property to the west. The first floor extension would be set in approximately 0.5m from the eastern side boundary and would not comply with the minimum guidance of 2m for a first-floor extension outlined in policy M of the ADG. Given that the neighbouring dwelling to the east has an existing single-storey flat roof extension that projects beyond the rear of the host dwelling and that this neighbour has no existing fenestration within the rear at first floor level within the rear roof slope, the proposed loft conversion and first floor extension would not result in overbearing, overshadowing, or overlooking impacts to the neighbour to the east.

The loft conversion and first floor extension would maintain the existing separation distance of approximately 0.65m to the western side boundary. It is noted that this would not comply with the minimum guidance of 2m for a first floor extension outlined in policy M of the ADG. However, given the existing high boundary treatments and the fact that the proposal is above an existing building rather than a new footprint or encroachment, any additional impact in terms of overshadowing or overbearing would not be unduly harmful. On balance, level of harm would be minimal and would not be sufficient to justify a refusal of the proposal.

The proposed fenestration at first floor level on the western flank elevation would serve a bathroom and landing and would have an outlook of the side (west) neighbouring dwelling. These windows would be fitted with obscure-glazing and would be non-openable below 1.7m above the finished flood level. As such, the proposed windows would not result in any overlooking. Notwithstanding this, a condition has been attached to this planning permission to secure this in perpetuity, thereby ensuring there would be no overlooking or loss of privacy to the neighbouring (west) dwelling.

The proposal would be set back from the rear (north) boundary by approximately 44m. The separation distances would not result in overbearing or overshadowing impacts to the neighbouring dwellings to the north.

The proposed fenestration within the rear (north) elevation would include a Juliet balcony and would have an outlook of the rear amenity space serving the host dwelling. A comment has been received in relation to the perceived overlooking from the proposed Juliet balcony at first floor level. However, while the rear fenestration may offer limited views towards neighbouring gardens, these views would be oblique, restricted, and would not result in material harm. Furthermore, it is noted that a rear dormer with similar views could be constructed under permitted development. Therefore, on balance, the proposed rear fenestration would not give rise to unacceptable overlooking impacts to neighbouring (east and west) dwellings.

The development would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

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:

- Location and Block Plans.
- Ground Floor, First Floor and Roof Plans - Proposed.
- Elevations - Proposed.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 The windows at first floor level within the western side elevation of the dwelling shall at all times be and remain glazed entirely with obscure glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and be non-openable below 1.7m above the finished floor level. This arrangement shall be retained permanently thereafter.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with Arun Local Plan policy D DM4.

- 4 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).

- 5 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 NPPF.