

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

REF NO: EP/113/17/HH

LOCATION: 2 Hillview Crescent
East Preston

PROPOSAL: Loft conversion & rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposed development comprises the demolition of the existing conservatory and the erection of a an L shaped single storey rear extension measuring approximately 4.3m deep (max), 7.7m wide and 3m high with 3 lantern rooflights.

In addition there is a change in roof shape from a hip to gable and the insertion of a dormer window measuring approximately 7.4m wide, 2.4m high and 3.5m deep on the rear roofslope with 3 rooflights on the front roofslope.

Materials would be brick, tile and felt and 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

The front and side boundary has a low brick wall approximately 0.5m high with hedge, trees and shrubs to supplement the boundary. To the rear there is a timber fence and trellis approximately 1.8m high

SITE CHARACTERISTICS

The application property comprises a semi detached bungalow with a hipped roof constructed of brick beneath a tile roof. The property has a conservatory and a single garage to the rear. The property is situated on a corner plot at the junction of Hillview

Crescent and Orchard Road.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential and consists predominantly of semi detached bungalows.

RELEVANT SITE HISTORY

No relevant planning history.

REPRESENTATIONS

Representations received:

East Preston Parish Council

East Preston Parish Council object to the proposal for the following reasons:

1. The committee agreed unanimously to object to this Application as it believes it is contrary to the made East Preston Neighbourhood Plan (EPNP).
2. The proposal is on a prominent corner site. The committee did not feel the proposed dormers were small enough to be subservient to the roof as a whole (s4.14 of the Neighbourhood Plan) nor do the proposed extensions look as if they were part of the original house, contrary to s4.16 of the EPNP.
3. The committee felt the proposal was perhaps poorly designed, resulting in a three-step profile. This is contrary to s58 of the National Planning Policy Framework which calls for buildings to be "visually attractive as a result of good architecture". The committee believed the building would end up looking unbalanced.
4. The committee felt the resulting building would be contrary to the Arun Local Plan in not being in-keeping with the adjacent streetscene

East Preston and Kingston Preservation Society object

1. The Society considers that the proposed additions to this bungalow are an example of poor design, which would detract from the street scene.
2. The bungalow occupies a prominent site, at the corner of Hillview Crescent and Orchard Road. What is nominally the rear of the building is therefore clearly visible from the road and the appearance of the building sets the style of the road.
3. The bungalows in the road are characterised by hipped roofs. Altering the roof of the corner building from hipped to gable would therefore create a significant change in the appearance of the road.
4. Adding two dormers to the rear roof which extend along the whole length of the roof and almost reach the ridge would make the new roof all the more noticeable. They would create an unbalanced roof that was clearly visible from the road at the side of the bungalow. The result would detract from the appearance of the area.
5. The proposed alterations would contravene GEN7 of the Arun Local Plan and Policy 1 of the East Preston Neighbourhood Plan, because they would be out of character with the surrounding buildings and would not enhance the appearance of the area.
6. The dormers would also contravene paragraph 4.14 of the EPNP because they would not be subservient to the appearance of the roof as a whole, and the alterations as a whole would contravene paragraph 4.16 because they would not look as if they had been part of the original design of the house.

Comments on Representations received:

Comments are noted and addressed in the conclusions below.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within the built up area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		D SP1 Design
		SD SP2 Built-Up Area Boundary
East Preston Neighbourhood Plan 2014 Policy 1		Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 3		Design in Character Area Two

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 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 taken 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 a 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 relevant policies of the East Preston Neighbourhood Plan have been considered.

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties.

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 falls within the built area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy

considerations in the determination of this application are deemed to be GEN7 and DEV19 of the Arun District Local Plan; Policies 1 and 3 of the East Preston Neighbourhood Plan; and the National Planning Policy Framework.

The application site is located in a prominent corner position where the front, side and rear elevations are clearly visible from the street. The proposed alterations to the roof will have a significant impact upon the appearance of the host dwelling within the street scene. The alteration of the roof from hip to gable and the proposed dormer window will add significant bulk and mass to the roof of the dwelling. The dormer window extension is almost full width being only 0.1m and 0.3m from the side margins of the proposed roof and approximately 0.4m above eaves level and 0.5m below ridge level.

The proposed dormer would also span the pitched roof of the existing rear addition. It is considered that this gives an awkward relationship that would draw the eye and exacerbate the dominance of the dormer and the proposed roof when viewed from the street on Hillview Crescent. The proposed roof alterations will have a significant presence within the street scene by virtue of the design of the proposed development. The hip to gable alteration will see the profile of the roof moved closer to Hillview Crescent and conflict with Policy 3(ii) of the East Preston Neighbourhood Plan due to the alteration of the basic form of the roof. The detrimental impact of the proposed development upon the host dwelling is increased by virtue of the property being semi-detached with the neighbouring property retaining the hipped design and the application property being gabled. This will unbalance the property and have an unacceptable adverse impact on the established character and appearance of the host dwelling and the wider area, which primarily retains the symmetry of the roofs on the semi detached properties and is contrary to policy GEN7(ii) and DEV19(v) of the Arun District Local Plan.

The rear extension replaces the existing conservatory its depth at this part is comparable to the conservatory however the extension also infills the setback part of the original house. The extension is also higher than the conservatory by at least 0.4m and is effectively full width. In addition there are 3 lantern rooflights. When viewed from Hillview Crescent the single storey rear extension appears as a dominant structure on the house. Furthermore, given the height of the extension which is marginally above eaves of the existing rear roof it also appears to conflict with the pitched roof of the existing rear addition. The impact of the single storey extension also adds to the visual impact of the overall development including the roof alterations and extensions.

Therefore, the proposal is not considered to appear subservient or well integrated with the host dwelling and will appear as an unduly dominant addition when viewed from the street and as such is in conflict with policy DEV19(i) and (ii) of the Arun District Local Plan and Policy 1(i) of the East Preston Neighbourhood Plan.

The proposed roof alterations by virtue of their design and location are not considered to give rise to any unacceptably adverse overshadowing or overbearing impacts on neighbouring properties. There is currently no overlooking of the garden as the windows are at ground level. However, it is considered that the proposed development will give rise to additional overlooking of property garden to the east. Furthermore, the adjacent property No.28 Orchard Road has no extension adjacent to the boundary of the two properties therefore it is considered that the proposed extension will have a visually dominant impact upon the windows and garden area of No.28. It would also breach a 45 degree line from the nearest window. The Council uses the 45 degree rule to assess planning applications for new buildings and extensions to existing properties which

might affect the outlook from or daylight to a nearby house or flat.

Therefore, as a whole the proposed development is considered to be harmful to the residential amenity of the adjoining occupiers. As such, the proposed development is deemed to conflict with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

The proposed development is considered to conflict with relevant Development Plan Policy and the East Preston Neighbourhood Plan and as such is recommended for refusal for the reasons identified below.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed development, comprising the roof extensions and single storey rear extension, by virtue of their unsympathetic design, significant size and prominent location are considered to have an unacceptable discordant and incongruous impact upon the character and appearance of the host dwelling as well as that of the immediate locality contrary to policies GEN7 and DEV19 of the Arun District Local Plan; Policies 1 and 3 of the East Preston Neighbourhood Plan; and the National Planning Policy Framework.
- 2 The proposed development due to the size and position of the single storey rear

extension is considered to give rise to an unacceptable dominant effect, leading to an unacceptable sense of enclosure and loss of outlook to the occupiers of No.28 Orchard Road in conflict with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan and the National Planning Policy Framework. .

- 3 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.