

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

REF NO: EP/114/15/HH

LOCATION: 19 Normandy Lane
East Preston

PROPOSAL: Single & two storey extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Alteration of the half hipped roof to a gable end; two storey rear extension; single storey rear extension; and extension of the existing first floor dormer.

SITE AREA

Approximately 383 metres squared.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site is open to the highway with 1.5 metre high brick walls on the side boundaries forward of the primary elevation. Rear of the dwelling the boundary treatments consist of 1.5 - 1.8 metre high close boarded fencing.

SITE CHARACTERISTICS

The site is occupied by a link-detached bungalow, with painted bricks and a half-hipped roof featuring brown tiles with a dormer on the northern elevation of the property.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential and features properties of a similar design and appearance to the application site.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

East Preston Parish Council

The Planning & Licensing Committee of this council considered this Application at its meeting held on 28th September. The agent was invited to the meeting.

The committee agreed unanimously it would object to this Application as aspects of it are contrary to the East Preston Neighbourhood Plan.

The suggestion of replacing the half hip with a gable end is contrary to sections 4.14 and 4.16 of the East Preston Neighbourhood Plan as the change is considered too great a change to the streetscene. The fact other properties in that stretch of houses was permitted to make such a change before the Neighbourhood Plan was made should not be allowed to invalidate this comment.

The committee is also concerned at the lack of details of materials included in the application.

This committee asks the District Council to consider refusing Planning Permission for this Application.

1 No. Letter of Objection:

- Contrary to policies of the East Preston Neighbourhood Plan.
- The alteration from half hip to gable and the increase in size of the proposed dormer window is contrary to policies 1 and 3 of the East Preston Neighbourhood Plan.

Comments on Representations received:

Comments noted and will be considered in greater detail in the conclusion of 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:	GEN2 DEV19 GEN7	Built-up Area Boundary Extensions to existing residential buildings The Form of New Development
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) SD SP2 Built-Up Area Boundary
East Preston Neighbourhood Plan 2014 Policy 1 East Preston Neighbourhood Plan 2014 Policy 4		Housing - General Principles Design in Character Area Three

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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 on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The East Preston Neighbourhood Plan has been made and policies 1 and 3 are considered relevant in 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 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 would 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 situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case are policies GEN7 and DEV19. Policies 1 and 3 of the East Preston Neighbourhood Plan are also key considerations in the determination of this application.

DESIGN AND VISUAL AMENITY

This application seeks permission for the alteration of the roof from hip to gable on the primary elevation; the extension of the first floor dormer; a two storey rear extension featuring a gable end; and a single storey rear extension.

The proposed alteration from half hip to gable on the primary elevation is not considered to adversely impact upon the character of the area or the established spatial pattern of the street scene. Whilst the majority of properties on Normandy Lane feature half-hipped roofs on the primary elevation in close proximity to the application site 5 properties feature gabled roofs adjacent to the highway - including the neighbouring property to the north of the application site and that immediately adjacent. Therefore, this aspect of the proposal is considered to be in accordance with policies GEN7(ii) and DEV19 (i) and (ii) of the Arun District Local Plan. It is also considered that this aspect of the proposal will be in accordance with Policy 1 and Policy 3 of the East Preston Neighbourhood Plan.

The proposed dormer on the northern elevation of the dwelling will increase from 8.6m in length to 13.8m running the full length of the dwelling. The dormer is therefore not considered to appear subservient to the host dwelling due to its size and scale. It will become a dominant feature upon the northern elevation of the property and unacceptably impact upon the street scene in conflict with policies GEN7(ii) and DEV19 (i) & (ii) of the Arun District Local Plan. It is also considered to conflict with Policy 1 (4.14 & 4.16) of the East Preston Neighbourhood Plan.

The proposed two storey rear extension will extend 3 metres from the rear of the original dwelling house and maintain the existing ridge height and gable end with the addition of a Juliet balcony at first floor level. A scheme of the same size, scale and design was previously approved under reference EP/55/11/ for 21 Normandy Lane - the property immediately to the north. Therefore, this aspect of the proposal is considered to be well integrated and subservient to the host dwelling in accordance with policies GEN7(ii) and DEV19 (i) & (ii) of the Arun District Local Plan as well as Policy 1 of the East Preston Neighbourhood Plan.

The single storey element of the proposal will extend an additional 2 metres to the rear of the original dwelling and garage. The single storey extension will measure 3.1 metres in height and be constructed from materials which will match the rest of the dwelling. This aspect of the proposal is therefore considered to appear subservient and integrated with the host dwelling in accordance with policies GEN7(ii) and DEV19 (i) & (ii) of the Arun District Local Plan and Policy 1 of the East Preston Neighbourhood Plan.

Drawing 2 Proposed Floor Plans & Elevations appears to show the first floor of the dwelling clad in weatherboarding. However, no reference to this material is made in writing on the plans or the application form and as such it is presumed that this is not the case and it is intended for the first floor to be constructed from materials which will match those already present on the dwelling.

RESIDENTIAL AMENITY

The proposed single storey & two storey extensions; dormer window; and alteration to the roof on the primary elevation of the property are not considered to give rise to any overbearing or overshadowing impacts upon neighbouring properties and as such are considered to be in accordance with policies GEN7(iv) and DEV19 (iii) of the Arun District Local Plan.

The proposal does include the addition of a roof light on the southern elevation of the dwelling at first floor level which has the potential to give rise to unacceptable overlooking of the neighbouring property. Therefore, this aspect of the proposal is considered to be in conflict with policies GEN7(iv) and DEV19 (iii) of the Arun District Local Plan. However, this aspect could be suitably controlled through condition, requiring this window to be obscurely glazed and non-opening.

SUMMARY

The rear extensions and alterations to the roof on the primary elevation of the property are considered to be in keeping with policies GEN7 and DEV19 of the Arun District Local Plan and Policies 1 and 3 of the East Preston Neighbourhood Plan.

However, the size and scale of the proposed dormer window on the northern elevation of the site is considered to be unacceptable due to in conflict with policies GEN7 (ii) and DEV19 (i) & (ii) of the Arun District Local Plan and Policies 1 and 3 of the East Preston Neighbourhood Plan.

Therefore, the proposal is considered unacceptable and is recommended for refusal for the below reason.

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 for 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 no impacts have been identified upon any protected characteristics.

RECOMMENDATION

REFUSE

- 1 The proposed dormer by virtue of its location, size and design would not appear visually subservient or sympathetic to the dwelling. As a result the dormer would have an unacceptable impact upon the visual amenities of the property and the character of the area in conflict with policies GEN7, DEV19 of the Arun District Local Plan; policies D DM1 and D DM4 of the Emerging Local Plan; policies 1 and 3 of the East Preston Neighbourhood Plan; and the National Planning Policy Framework.
- 2 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 reason(s) 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.