

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

REF NO: EP/26/13/

LOCATION: 11A Hillview Crescent
East Preston

PROPOSAL: Removal of existing conservatory and erection of chalet extension with alterations to existing roof to form gable end

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The current hipped end northern roof slope will be converted to a gable end. The eaves line of the roof will not be extended. A single-storey extension measuring approximately 7.4 metres in width by 3.8 metres in depth and 5.2 metres in height will be added to the rear elevation. This will replace an existing conservatory as well as a rear projecting part of the original building.
SITE AREA	Approximately 333 square metres.
TOPOGRAPHY	Predominantly flat although the level of the far end of the rear garden drops down by roughly 50cms.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The rear garden is enclosed by approximately 1.8 metre high timber close boarded fencing. There is additional trellising in place on part of the southern boundary fence.
SITE CHARACTERISTICS	The site is occupied by a semi-detached bungalow dwelling which has painted render elevation walls, set on a red/brown brick base, and a tiled, hipped roof. The rear elevation wall of the original building is stepped. However, the addition of a conservatory has created a contiguous rear elevation.
CHARACTER OF LOCALITY	The site is located on a residential road that is lined, predominantly, by semi-detached bungalow dwellings. Frontages are generally uniform in appearance although some properties have had their original hipped roofs converted to gable or sussex-hipped ends.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)
[DEV19](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

EPDS

East Preston Village Design Statement by E P
Parish Council

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to potential impact upon the character and appearance of the surrounding area and the amenities of any neighbouring residents.

The Development Plan consists of the Arun District Local Plan.

It should be noted that the Arun District Local Plan was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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

The proposed roof conversion will alter the appearance of the dwelling frontage and a degree of symmetry will be lost between the dwelling and the adjoining property, No. 11 Hillview Crescent. However, the footprint of the building will remain the same, as will the height, and it is not considered that the works will overwhelm the adjoining property. It is also noted that there are nearby properties where similar works have taken place, examples being No. 5 and No. 33 Hillview Crescent. As such, it is not considered that the altered appearance of the dwelling would appear incongruous within the surrounding area or be harmful towards its character and appearance.

The proposal will not result in a substantial increase in the footprint of the dwelling and its overall height will not be raised, with the roof height of the proposed rear extension set lower than that of the existing roof. The increase in roof size is considered to be modest and it should be noted that this element of the proposed works could be undertaken under householder permitted development rights. It is therefore considered that the proposed works will maintain visual subservience towards the host building. Further, the roof of the rear extension will have its eaves in line with the existing roof eaves, whilst the roof extension will have eaves and ridge lines that match the existing roof. These design features will ensure a smooth visual integration. It should also be noted that the rear extension, by replacing two existing features, will produce a less cluttered and better integrated appearance to the rear of the dwelling.

The proposed rear extension will be positioned close to the southern boundary of the site. Its southern elevation will be alongside the wall of an existing conservatory at the neighbouring property. Given this, and the modest height of the proposed extension, it is not considered that it would have an overbearing appearance or be the cause of undue levels of overshadowing. All major windows are to be at ground floor level and any views towards neighbouring property would be interrupted by existing site boundary treatment. Other glazing and rooflights would not offer intrusive levels of overlooking as they will be positioned to high above floor level to allow for this, the main purpose being to allow light into the extension.

Whilst the northern elevation wall of the existing dwelling will increase in height as a result of the proposed hip to gable roof conversion, the overall height of the dwelling will remain unchanged. It is not considered this will result in the introduction of an overbearing or overshadowing element. A first floor window is included within the northern elevation, this window will serve a bathroom and a condition requiring it to be obscure glazed is considered to be appropriate in the interests of amenity.

It is therefore recommended that the application is approved, subject to the following 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 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

In assessing this proposal it has been deemed that it would result in a neutral impact 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).

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:-

Sheet 1 of 3;
Sheet 2 of 3;
Sheet 3 of 3;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including dormer windows and loft conversions) to the dwelling house shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The first floor window on the northern elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening, other than where a minimum of 1.7 metres above floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 The materials and finishes of the external walls and roofs of the extensions 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.

- 6 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: National Planning Policy Framework

SUPPLEMENTARY PLANNING GUIDANCE: East Preston Design Statement

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 7 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.