

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

REF NO: EP/36/19/HH

LOCATION: 9 Myrtle Grove
East Preston
BN16 2SW

PROPOSAL: Change of pitched roofs to full gable roofs, new mono-pitch dormers to front & rear elevations on main dwelling, new gate, posts & fence to front of property site & change of existing annexe roof to split mono-pitch roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to extend the dwelling in the roof area to provide pitched roofs to full gable roofs, new mono-pitch dormers to front & rear elevations on main dwelling, new gate, posts & fence to front of property site & change of existing annexe roof to split mono-pitch roof.
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RELEVANT SITE HISTORY

EP/189/88	Extension and alterations to garage and outbuildings with new pitched roof over. New canopy over front door.	ApproveConditionally 05-09-88
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

Objection - This property is visible from neighbouring properties in Myrtle Grove, Angmering Lane and Vicarage Lane and, at certain times of year, possibly visible from Angmering Lane and Vicarage Lane. The proposed design is unsympathetic and would have an unacceptable impact upon the character of the immediate locality, contrary to the Arun Local Plan and the East Preston Neighbourhood Plan. The proposed dormers are not subservient to the existing roofline, contrary to the East Preston Neighbourhood Plan.

The choice of colours is out-of-keeping with the existing streetscene. Most properties in Myrtle Grove use a clay palette for their roofing materials. This is contrary to Policy 1 of the East Preston Neighbourhood Plan, which states, the materials used in new or altered buildings should harmonise in both colour and texture with the materials used in adjoining buildings.

One Objection - The proposed alterations would create a building that was dominated by large dormer windows, and finished in materials that are alien to its surroundings. The roof would be covered with dark grey slate effect tiles, with metal covering the dormers; walls would be dark grey brick plinths and wood cladding of unspecified colour. The dominant colour would be grey, in contrast to the reddish-brown of

surrounding houses' The dormers would extend along almost the whole of the length of the roof on the northern side of the building, and about three-quarters of the length of the roof on the southern side. They would reach almost to the ridge of the roof and are tilted upwards towards the window side, a feature that makes them all the more dominant. The original bungalow would completely disappear.

The design of this proposal appears to have been completed without any consideration of local planning policies. The huge dormers cannot be said to be visually integrated with the existing building, or visually subservient to it. The new materials of the roof and walls do not sympathetically relate to the materials of the existing house; they are a sharp contrast to its materials and to those of surrounding buildings. They create a building that contravenes policies D DM1 and D DM4 of the Arun Local Plan. It also contravenes Policy1 of the East Preston Neighbourhood Plan because the design and materials used do not reflect the character of surrounding buildings, and the dormers are not subservient to the appearance of the roof as a whole.

One No Objection on the basis of the current plans submitted.

One Support - There are many houses in many different styles and colours in East Preston and on the Willowhayne estate. The house cannot be seen from any of the surrounding roads including Vicarage Lane. Of the six neighbours who can actually see the house, none of them have raised any objections.

Officer comment on representations - There are some details of materials to be used specified in the application form but additional details can be controlled by the imposition of a condition. In any case the area is comprised of dwellings of mixed design and materials and the dwelling is not readily visible in the street scene.

CONSULTATIONS

Ecology Advisor

Engineers (Drainage)

Arboriculturist

Parks and Landscapes

West Sussex - Waste Disposal

CONSULTATION RESPONSES RECEIVED:

Ecology Officer - Due to the location of the site, the proposed works and the records of bats within close proximity of the site there is a moderate likelihood of bats roosting within the building. No bat survey has been undertaken on the site so we are unable to establish if bats are present. Prior to determination we require that an initial bat survey is undertaken on the building to determine if there is evidence of bats roosting within the building. If there is evidence of bats, further bat activity surveys would be required and mitigation strategies will need to be produced. These surveys plus mitigation strategies required will need to be submitted as part of the planning application prior to determination. Due to the level of protection bats hold within European legislation, if bats are found to be roosting onsite the application will also require a Natural England Protected Species License for the works.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. Any vegetation clearance should be undertaken outside of the bird breeding season.

Comment on consultation.

The applicant has submitted a Preliminary Roost Assessment. It has been established that no bat roosts

are present within the structure. However, foraging and commuting bats are anticipated within the local landscape, and their presence can be assumed. It is recommended a bat box be positioned on the eastern elevation. There is also a request to position bird boxes around the garden. No bushes are proposed to be removed from the site. The agent has indicated that the applicant would make provision of the requested boxes and these can be controlled by condition.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM5	ENV DM5 Development and biodiversity
DSP1	D SP1 Design

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 2	Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and 5 of the East Preston Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Layout, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

East Preston Neighbourhood Plan (EPNP)- Policy 1

Policy 1 of the East Preston Neighbourhood Development Plan sets out general principles for development within the Parish. Part (i) relates to the scale, density, massing, height, landscape design, layout and materials of development proposals, and how proposals must reflect and enhance the established character of the area.

EPNP - Policy 2

Policy 2 of the East Preston Neighbourhood Development Plan sets out criteria for the design of proposals in Character Area One. These criteria intend to preserve the street scene, avoid an increase in density and protect views of the beach.

DESIGN AND VISUAL AMENITY

The site comprises a detached bungalow with a plain tiled roof and white painted elevations and a flat roofed garage to the side. The dwelling is located at the end of a driveway behind other properties fronting Myrtle Grove. The garden area is enclosed by approx. 2m high fencing. The existing dwelling is not readily visible in the street scene. The proposed entrance gates and fencing would not be easily seen from the road frontage. The proposed roof extensions are considered to result in a change of appearance of the host dwelling, as a result of the scale of the extent of changes to the current roof profiles. However, this change in appearance will not have an unacceptable impact, in terms of design, on the established character of the dwelling. Given the limited volume of the alterations they are considered to be subservient additions to the dwelling. They would be visually integrated well with the existing dwelling. Therefore, the proposed extensions are considered to be in accordance with D DM4(a) and (b) of the Arun Local Plan and Policies 1 & 2 of the EPNP.

The proposed roof alterations would not be readily visible from the street scene and given their position and dimensions together with the appearance of the properties in the locality, and the integration of the alterations, the development is not considered to be visually harmful to the established character of the area.

Furthermore, the area does not have a uniform spatial character and there is no consistent roof shape. The precise materials of the roof extension are to be controlled by the imposition of a condition, but it is considered that there would be no objection to the materials indicated on the application form as there is no one dominant material in the area. The existing dwellings are of varying design and materials. As a result of this, the proposal is deemed to be in accordance with D DM1 and D DM4(e) of the Arun Local Plan, and the relevant policies of the East Preston Neighbourhood Development Plan.

NEIGHBOURING REIDENTIAL AMENITY

The proposed development is not considered to have any significant impact on occupiers of adjacent dwellings. This is as a result of the orientation of the dwelling on the plot and the significant separation distance between the host dwelling and rear site boundaries of adjacent dwellings which retain a minimum distance of 10m from the proposed bedroom windows. Neighbouring properties are set within extensive grounds which means that there will be no unacceptable overlooking from proposed dormers otherwise controlled by condition. There would therefore be no material loss of privacy. The entry gates would not be of a height to result in adverse overbearing impacts on adjacent dwellings. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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:
Location;
Site Plan;
Proposed Ground Floor Plan 211 B;
Proposed Loft Conversion 212 B;
Proposed North & West Elevations 311;
Proposed South and East Elevations 312;
Proposed Roof Plan 213 A;
Proposed Gate, Fence and Posts

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM 1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DDM1 of the Arun Local Plan.

- 4 The first floor en suite bathroom windows on the north elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7m

internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy DDM1 of the Arun Local Plan.

- 5 Within 3 months of completion of the works hereby approved a bat box shall be installed on the east elevation of the dwelling and 2 bird boxes shall be provided within the garden area.

Reason:

In the interests of protected species and biodiversity in accordance with policy ENV DM5 of Arun Local Plan

- 6 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.

- 7 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.