

Recommendation Report for Planning Permission

REF NO: EP/41/19/PL

LOCATION: 128 Sea Road
East Preston
BN16 1NN

PROPOSAL: Loft conversion to existing flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to convert the loft of an existing one bedroomed first floor flat to provide additional accommodation. This would be done by constructing two hip roofed dormers to the front of the property and a box dormer in the rear roof at second floor level. The total floor area of the proposed flat would be approx. 93 sq. metres in area.
SITE AREA	111 sq.metres.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	The flat is located in a quad terrace of shops with flats above flanked by 2 similar quad terraces on the west side of Sea Road in East Preston village centre.
CHARACTER OF LOCALITY	The area is the High Street for East Preston village centre with shops, restaurants and pubs with flats above on both sides of Sea Road. The area, apart from the commercial village centre, is predominantly residential.
None relevant.	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

Objection on the grounds that proposal would have a negative impact on the streetscene as:

- 1) The proposed development would introduce front dormers into a parade of shops where none currently exists and fail to protect the character of the village as a result contrary to policy 1 of the East Preston Neighbourhood Plan.
- 2) Have an unacceptable impact on the host dwelling and parade of shops and immediate locality contrary to policies D DM1 and D DM4 of the Arun Local Plan.

A second consultation of the Parish Council following the amendment of the scheme to hip roofed dormers at the front rather than a box dormer resulted in a further objection as follows:

- 1) No dormers on 3 quad terraced blocks as existing.

- 2) Contrary to Policy 1 of the East Preston Neighbourhood Plan as would adversely impact street scene.
- 3) Contrary to policies D DM1 and D DM4 as unacceptable impact on host dwelling, parade of shops and immediate locality.
- 4) No objection to rear dormer.

The application does not need to go to Development Control Committee for determination in accordance with paragraph 14 of the Scheme of Delegation dated 16-01-2019.

COMMENTS ON REPRESENTATIONS RECEIVED:

Note - While a photo has not been received from the Parish Council the roofscape of the application and surrounding blocks was well documented by photographs during at site visit stage.
The other matters are addressed in the conclusions section of the report below.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 4	Design in Character Area Three

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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.

Policies 1 (Housing - General Principles) and 4 (Design in Character Area Three) of East Preston Neighbourhood Plan are considered relevant to 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 considered to comply with relevant Development Plan policies in that it would not have a materially adverse effect on the appearance of the host dwelling, the parade of shops or the character of the area as a whole nor the residential amenities of neighbouring residents.

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 key Policy considerations in the determination of this application are deemed to be D DM1 and D DM4 of the Arun Local Plan, Policies 1 and 4 of the East Preston Neighbourhood Plan and guidance within the National Planning Policy Framework.

Policy D DM1 - Aspects of form and design quality

When considering any application for development the Council will have regard to the following aspects:

1. Character
2. Appearance/attractiveness
3. Impact

Policy D DM4 - Extensions and alterations to existing buildings (residential and non-residential)

When considering applications for alterations to existing buildings, the Council will require that the alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials, is visually subservient to the main building and provide a high standard of amenity, does not have an adverse impact on neighbouring properties and respects the

established spatial character of the area.

East Preston Neighbourhood Plan

Policy 1: Housing - General Principles

Development proposals will be supported provided:

- i. the scale, density, massing, height, landscape design, layout and materials of proposals, including alterations to existing buildings, reflect and enhance the architectural and historic character and scale of the surrounding buildings;
- ii. they meet the adopted car parking standards, whereby the amount and method of parking provision should not adversely affect road safety, or result in unacceptable levels of on-road parking demand;
- iii. where proposals for use of a dwelling as a commercial holiday letting they will not harm the amenities of the local residential area; and
- iv. they retain amenity land, incidental open spaces and roadside verges.

Policy 4: Design in Character Area Three.

The Neighbourhood Plan supports proposals provided the scale, density, massing, height, landscape design, layout and materials, including alterations to existing buildings, will:

- i. sustain and enhance the significance of the historic character of the area;
- ii. employ building materials that harmonise with those used in existing buildings;
- iii. preserve front boundary walls where permitted development rights do not allow their removal;
- iv. ensure that where apartment blocks are proposed, their scale, massing, detailing and landscaping is domestic in form and their appearance harmonises with the housing types of the area.

National Planning Policy Framework (NPPF)

Paragraph 11. Plans and decisions should apply a presumption in favour of sustainable development:

For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

DESIGN AND VISUAL AMENITY

The buildings opposite the application site have 12 hip and flat roofed dormers at second and third storey level directly facing the application site such that it would be considered unreasonable to suggest that the incorporation of hip roofed dormers in a hip roof would be out of character on an individual building or within the street scene in the local area.

The proposed inclusion of modest hip roofed dormers in matching materials at second floor level to the front of the building is considered to be of an acceptable design which would complement the visual amenity of the host property, the quad terrace within which it would be located and the character of the area in accordance with policy D DM1 of the Arun Local Plan.

The development is also considered to accord with policy D DM 4 of the Arun Local Plan in that the hipped roof dormers to the front would sympathetically relate to the host dwelling and would be subservient to it located entirely within the pitch of the existing roof.

The box dormer to the rear which is set in from both sides of the building and below the ridge level will have an acceptable impact on the host dwelling and being located to the rear would not have an impact on the wider street scene.

The proposal at the front and rear elevations is considered to reflect and enhance the architectural and historic character and scale of the surrounding buildings within the East Preston village centre area in accordance with policy 1 & 4 of the East Preston Neighbourhood Plan.

As such, it is considered that the proposed development would result in an acceptable design which would not be overly prominent on the host dwelling and within the street scene and would comply with Policy D DM1, Policy D DM4 and policy 1 (i) & 4 (i) & (ii) of the Neighbourhood Plan.

RESIDENTIAL AMENITY

There would be no materially adverse impact on the residential amenities of neighbouring properties due to the separation distances at the front and rear toward neighbouring properties in terms of a loss of light, loss of privacy or overbearing impact. Furthermore there is some screening to the rear which helps to protect the impact on neighbouring residential amenity from the rear dormer.

In this respect the proposal is considered to comply with policy D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

It is recommended that the planning 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 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:

Proposed Floor Plans, Elevations & Roof Plans, Site Location Plan and Proposed Block Plan dwg.no. 1204.01.b rev. b dated 06/03/2019.

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

- 3 The materials and finishes of the external walls and roofs of the dormers hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 4 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.