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

REF NO: **EP/54/12/**

LOCATION: 28 Vermont Way
East Preston

PROPOSAL: Room in roof with hip to gable and front and rear dormers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal involves continuing the ridge line of the existing hipped roof further to the south, creating a hipped end and also to the north, producing a partial hipped end. Flat roof dormers will be formed withthin the eastern and western roof slope, the eastern dormer being windowless. There will be no increase in the footprint of the dwelling.
SITE AREA	Approximately 375 square metres.
TOPOGROPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Site boundary consists largely of a mixture of approximately 1.8 metre high timber fencing and hedging of a similar height. Part of the eastern boundary is marked by low wire mesh fencing whilst part of the southern boundary is marked by the elevation walls of the garage belonging to the neighbouring property.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling which has yellow brick elevation walls and a tiled, hipped roof. There is a gable ended projection on the northern elevation. There are outbuildings positioned to the south of the property.
CHARACTER OF LOCALITY	The site is located on a residential road that is characterised by detached bungalow dwellings that are set back from the road in a linear arrangement with equal spacing between buildings.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

East Preston Parish Council

Objection: No nearby property appears to have extended upwards and therefore this would mean that this property would no longer be in keeping with the local street scene. Does not meet the spirit of the Arun District Council Local Plan Saved Policy DEV19 in as much as the proposed extension does not sympathetically relate nor visually integrate with the existing property. The committee felt that the extension is visually dominant to the existing property, and this is also contrary to the East Preston & Kingston Village Design Statement. The proposed extension may have an overbearing impact on neighbouring properties. The committee was concerned about the design of the proposed extension and felt that the District Council should refer to paragraph 64 of the National Planning Policy Framework which states, 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

One letter of objection: This application is an object lesson in how not to extend a bungalow. The proposed rooms in the roof produce dormers that are so large that they dominate the building , extending vertically to the ridge of the roof and horizontally to the outer wall. They produce a building of unbalanced, indeed nightmarish appearance. The proposal is therefore incompatible with policies DEV19 and GEN7 of the Local Plan , with the guidelines of the East Preston Village Design Statement, and the policies on design in paras. 63 and 64 of the Planning Policy Framework.

Comments on Representations received:

RESPONSE TO PARISH COUNCIL:

The dwelling is located within Character Area 2, as defined in the East Preston & Kingston Village Design Statement, where extensions resulting in an increase of height to a dwelling are discouraged. However, the proposal will not result in any increase in overall height. The additional mass created will be well below 50% of the current mass of the dwelling and the extensions will be distributed around various parts of the existing building. It is therefore considered that they will not appear dominant and that they would not fundamentally alter the character and appearance of the building, as such, it is not considered to be an example of poor design.

RESPONSE TO LETTER:

The roof dormers are considered to be of modest proportions in context to the overall roof area. They would be set well below roof ridge height and stepped in from edges, as required in the general guidance set out in the East Preston & Kingston Village Design Statement. Whilst is is accepted that the proposal will result in a degree of loss in the symmetry of the dwelling, it is not considered that this will be to such an extent that it would overwhelm its original character or be to the detriment of the appearance of the street scene.

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 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):		

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 visual and residential amenity.

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

PRINCIPLE:

The proposed extension would be located within the built-up area where the principle of development is deemed to be acceptable, subject to the satisfaction of relevant planning policy. In this instance, the key criteria are contained within Arun Distrct Local Plan Policies GEN7 and DEV19 which aim to safeguard the amenities of neighbouring residents and the character and appearance of the surrounding area. These policies remain a valid consideration as they concord with the aims and objectives of relevant sections of the National Planning Policy Framework

(NPPF). Recent appeal decisions issued by the Planning Inspectorate support the continued use of these policies.

VISUAL AMENITY:

It should first be noted that a number of the works proposed, namely the hip to gable end conversions and the rear facing 'blind' dormer could be carried out under householder permitted development rights. The extensions will not increase the size of the dwelling footprint, nor will it bring the building any closer to the road, or erode the established gaps between the dwelling and neighbouring properties. It is therefore considered that the works will not compromise the spatial characteristics of the surrounding area.

The dwelling is set back from the road and partially screened from view by existing boundary treatment, softening its visual presence. The street is characterised by detached bungalow dwellings and, whilst the proposed dormers will allow for first floor accommodation, the overall height of the building will be unchanged and the mass will not be increased to a degree at which it would unbalance the building and fundamentally alter its character. As such, it is not considered that the proposal will visibly harm the character and appearance of the surrounding area.

DESIGN & SCALE:

It is considered that the proposed extensions relate sympathetically towards the existing building in terms of design and scale. Whilst the volume, and mass, of the building will be increased by the extensions, their even distribution, the fact that they will not increase the height of the building and the modest proportional increase in volume will ensure that the works maintain visual subservience towards the existing building. The design of the proposal will alter the form of the building, however it is considered that by maintaining existing eaves and ridge heights the proposal will exhibit an acceptable degree of visual continuity in relation to the existing dwelling.

RESIDENTIAL AMENITY:

With regards to the amenities of neighbouring residents, the height of the existing building will be maintained, as will its degree of separation from neighbouring dwellings. This will prevent the dwelling, as extended, from appearing overbearing towards neighbouring properties or from subjecting them to undue levels of overshadowing. The west facing dormer windows will look towards the highway and not directly into the windows of neighbouring properties whilst the east facing dormer will be windowless. Any views from the first floor south facing window towards neighbouring properties will be interrupted by the existing site boundary treatment and outbuildings at the neighbouring property and the site itself. Taking note of these observations, it is not considered that the proposed works could cause intrusive levels of overlooking to arise.

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

Duty under the Equalities Act 2010

In assessing this proposal it has been deemed that it would have 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:-

1:1250 Location Plan;
1:500 Block Plan;
12/750/02;

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 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those used on the tile hung walls and the roof of the existing building.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings shall be formed in the east facing roof dormer without the prior permission of the Local Planning Authority on an application in that behalf.

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

5 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: NPPF

SUPPLEMENTARY POLICY GUIDANCE: EAST PRESTON VILLAGE DESIGN STATEMENT

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