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

REF NO: **EP/54/13/**

LOCATION: 56 Sea Lane
East Preston

PROPOSAL: Two pitched roof dormers to front elevation & rear conservatory. Resubmission of EP/133/12

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application comprises the addition of 2 pitched roof front dormers and the provision of a conservatory to the rear. The rear dormer and changes to the roof shape are permitted development. The conservatory has a depth of 4 metres and a width of 6.8 metres.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8 metre high timber fences and foliage to side and rear boundaries. Low brick fence to front.
SITE CHARACTERISTICS	Single storey detached dwelling with flat roofed single storey rear extension and conservatory. Brick elevations and plain tiled roof.
CHARACTER OF LOCALITY	Application site is surrounded by one and two storey detached dwellings, many of which have been modified and extended. To the north (side) boundary, there is a 2m wide pedestrian path connecting Sea Lane to The Ridings.

RELEVANT SITE HISTORY

EP/133/12/	Roof alterations & conservatory to rear elevation.	Refused 18-02-2013

REPRESENTATIONS

Representations received:

East Preston Parish Council

No objection. Request confirmation of permitted development.

East Preston and Kingston Preservation Society - Objection
Alterations would create a house of unattractive and ungainly appearance. Side as well as front views should be considered. Design conflicts with policy GEN7 and the guidelines of the East Preston Village Design Statement. Planning permission should therefore be refused.

One letter of Objection - Description is misleading. Large dormer to rear indicated on plans will considerably bulk up the roof. Large double door window on rear will result in a serious loss of privacy to adjacent garden and ground floor. Vertical increase in height of the planned reshaped roof at the north elevation will be obtrusive and dominate the adjacent footpath. Request a condition is imposed relating to the sympathetic planting of evergreen trees at the end of the rear garden to screen the roof extension.

Comments on Representations received:

The rear roof changes constitute permitted development. It would not therefore be appropriate to impose conditions relating to this element of the proposal.
The alterations proposed that form part of the application do not result in an unattractive appearance to the building. The pitched roof dormers are in keeping with others in the locality and do not dominate the appearance of the roof.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	DEV12	Protection & Reinstatement of Original Features in L.B.s

PLANNING POLICY GUIDANCE

	NPPF	National Planning Policy Framework

POLICY COMMENTARY

PLANNING
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

PLANNING
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.
attached.

CONCLUSIONS

The proposal follows an earlier refused application for alterations and extensions to the roof and a conservatory (EP/133/12). The shape of the conservatory has been amended and the roof alterations and extensions have been reconfigured to provide a reduced projection to the rear and reduce the scale of the changes so that the rear and side roof extensions fall within permitted development. The proposed roof changes and rear dormer are permitted development and do not fall to be considered as part of this application.
The proposed dormers and conservatory would have no adverse effect on the residential amenities of adjoining properties. The conservatory would be a glazed structure set in 0.5 metres from the boundary and the roof would pitch away from the boundary. It would therefore have no adverse overbearing effects on the neighbouring property.
The conservatory would be screened from public view and the dormers would be similar in appearance to others in the locality and would not dominate the roof or appear out of keeping in the street scene.
The extensions proposed as part of this application would relate sympathetically to the existing building in terms of siting, design, form, scale and materials in compliance with policy DEV19 of Arun District Local Plan.
The application is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL
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(the 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 negative 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).

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 12089/02R

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

3 The materials and finishes of the dormers hereby permitted shall match in colour and texture those of the existing roof.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

4 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: GEN7, DEV19

NATIONAL POLICIES: National Planning Policy Framework

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

5 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.