

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

REF NO: EP/60/21/HH

LOCATION: New Lodge
Seaview Road
East Preston
BN16 1LX

PROPOSAL: Erection of two side dormers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to construct two large side dormers to New Lodge. There is also proposed to be a hip to gable extension to the roof on the rear elevation.

The materials used to construct these dormers will be similar to those used on the host dwelling. The roof will be a flat roof to the dormers and tile hung on the walls. The windows will be white UPVC.

The dormers have a height of 2.36m and length of 4.92m. There are two windows on the dormers which will both be used as an en-suite and bedroom. The en-suite windows will be obscurely glazed.

REPRESENTATIONS

East Preston Parish Council - No objection.

One representations from nearby occupier stating: The objection to the current proposal is due to the contentious modification in this submission which will severely compromise the neighbouring properties privacy.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

[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)
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 of the East Preston Neighbourhood Development 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, Public realm, Layout, Public Art, Density and Scale.

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.

Further guidance from the Arun Design Guide is relevant and referred to below.

DESIGN AND VISUAL AMENITY

The proposal will be to the side and due to its location it will be visible to the street scene and the wider area, so will have an impact on the character and appearance of the area. The existing plans show there are dormers to the side, however this is not the case from photos which have been submitted. It is believed that the applicant has indicated these as what could be erected under permitted development. However, these would not be permitted development due to the proposed window arrangements. This development matches the existing walls, roof and windows of the host dwelling, therefore it will be well-integrated.

The proposal also include a rear hip to gable roof extension. This will not be readily visible from outside of the application site and will therefore have no significant adverse impacts on the character of the area.

The proposal does not result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide. Also section M, referring to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling.

RESIDENTIAL AMENITY

The side dormers do have a harmful impact to the neighbour at the side at 4 Seaview Road, the boundary at the side is 1.25m and due to the dormer being at two storey height there will be significant levels of harmful overlooking and overbearing impacts to the side neighbour.

The windows which are proposed for the dormers are for an en-suite and bedroom. The en-suite windows are proposed to be obscurely glazed, however the bedroom windows aren't due to the use of the room. As a result this will mean that there will be significant harmful overlooking to the neighbours at the side with direct views to the rear of the adjoining property at very close proximity.

[The proposed rear roof extension will result in an a new window at first floor level facing north. However, there is sufficient distance and oblique angles to ensure that no unacceptable overlooking will result from these windows.

As a result, this will mean that there will be significant harm which could not be overcome and as a result this application will be refused. The development is contrary to D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The development is not deemed to accord with relevant development plan policies and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposals will result in significant harmful overlooking impacts from the windows of the dormers into the side neighbours at 4 Seaview Road which would result in significant harmful impacts to the residential amenity enjoyed by this property. The proposals are therefore contrary to policy D DM1 and D DM4 of the Arun Local Plan.
- 2 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 with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.