

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

REF NO: EP/86/17/HH

LOCATION: 32 Manor Road
East Preston

PROPOSAL: Loft conversion including rear dormer, changes to external materials & Juliette balcony to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the conversion of the loft and the addition of a dormer window to the rear. The proposal also includes the alteration of materials at the site with grey slate to be used for the roof and weatherboarding to be added to the gables and the proposed dormer window. The proposal includes the addition of 4 no. roof lights on the primary elevation.

SITE AREA

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site is open with the rear and side boundaries of the site consisting of a brick wall, fencing and mature planting.

SITE CHARACTERISTICS

The site is occupied by a detached property which features residential accommodation at first floor level with a integrate garage at ground floor level. The property is constructed from brick with tile hanging and render at first floor level. The property currently features a porch forward of the primary elevation.

CHARACTER OF LOCALITY

The character of the locality is residential and features properties of various designs and styles.

RELEVANT SITE HISTORY

Planning permission was granted under reference EP/43/17/PL for the conversion of the existing garage and flat above to create a dwellinghouse.

REPRESENTATIONS

Representations received:

East Preston Parish Council

The council's Planning & Licensing Committee considered this Application at its meetings on 10th and 24th July. Mrs Hartkemeyer attended the meeting on the 10th July.

The committee agreed to support the objections already made by the East Preston & Kingston Preservation Society about several of the choices of materials proposed. Please refer to the Preservation Society's letter already submitted for full details.

The council has no objections to the proposed rear dormer or Juliet balcony.

Comments on Representations received:

Comments noted and will be considered further in the conclusion to this report.

CONSULTATIONS

Consultations responses received:

East Preston Preservation Society:

I am commenting on this application on behalf of the East Preston and Kingston Preservation Society.

The Society does not object to the addition of a dormer and balcony to the house, but it does object to the proposed materials. Greater clarity about the proposed materials is also required.

The use of Cedral cladding on the eastern gable is inappropriate - the material is not used on any adjoining house. The proposed roofing material is described as slate effect tiles but the colour is not specified. The windows are t.b.c.

In order to conform to Policy 1 of the East Preston Neighbourhood Plan, the use of Cedral cladding should be avoided. The roofing tiles harmonise in colour and texture with those of adjoining houses. The windows should be light in colour to harmonise with the neighbours.

If these minor modifications were made, the Society would withdraw its objections to this application.

Comments on Consultation responses:

Comments noted and will be considered further in the conclusion to this report.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
GEN2

[Publication Version of the Local Plan \(October 2014\):](#)

[East Preston Neighbourhood Plan 2014 Policy 1](#)
[East Preston Neighbourhood Plan 2014 Policy 2](#)

Extensions to existing residential buildings
Built-up Area Boundary

D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
SD SP2 Built-Up Area Boundary

Housing - General Principles
Design in Character Area One

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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 application site is situated within the built up area boundary where the principle of development is considered to be acceptable subject to accordance with relevant development plan policies. In this case the key policy consideration are deemed to be GEN7 and DEV19 of the Arun District Local Plan; Policy 1 of the East Preston Neighbourhood Plan; and the National Planning Policy Guidance.

DESIGN AND VISUAL AMENITY

The proposed dormer window by virtue of its size, design and location is considered to appear well integrated and subservient to the existing property. By virtue of its location it will also have a limited presence within the street scene and as such will not adversely impact upon the character of the host dwelling or the wider locality.

The proposed Juliette balcony will be situated on the primary elevation and it is considered that this proposal will appear in keeping with the existing dwelling and will not adversely impact upon the character of the locality. Therefore, it is considered that both the dormer window and Juliette

balcony will accord with policies GEN7 and DEV19 of the Arun District Local Plan and Policy 1 of the East Preston Neighbourhood Plan (EPNP).

Objections have been received from the Parish Council as well as the East Preston Preservation Society in relation to the proposed materials and their conflict with Policy 1 of the EPNP. The materials proposed are slate effect tiles on the roof and render & Cedar weatherboarding on the walls.

The weatherboarding is shown as being limited to the gables and dormer window. Whilst, neighbouring properties do not feature weatherboarding there are a number of examples in close proximity to the application site. The weatherboarding is limited in terms of its application and as such it is considered that the proposed weatherboarding will not have an unacceptable impact upon the established character of the locality.

The proposed slate effect tiles are also not considered to have an unacceptable impact upon the character of the host dwelling or the wider locality. Slate is features on neighbouring properties and as such it is not considered as being out of keeping with the character of the immediate locality and is deemed to be in accordance with policy 1 of the EPNP.

The colour of the replacement windows are specified as TBC and as such it has not been possible to make an assessment of the compliance of these with relevant development plan policies. However, a condition has been included with the recommendation requiring that a schedule of materials is submitted to the LPA for approval. This will provide the opportunity for the LPA to assess the materials in full and ensure that they are compliant with relevant development plan policies.

Therefore it is considered that subject to this condition the proposed development will not adversely impact upon the established character of the host dwelling or wider locality.

RESIDENTIAL AMENITY

The proposed dormer window and Juliette balcony are not considered to give rise to any unacceptably adverse overlooking, overbearing or overshadowing impacts on neighbouring properties and as such are deemed to accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

The proposed Juliette balcony will be situated on the primary elevation and as such will not give rise to adverse overlooking. Similar, view are already achievable from the existing first floor windows situated on the primary elevation.

The proposed dormer window to the rear is also not considered to give rise to unacceptably adverse overlooking and will cause no more harm to the residential amenity beyond those already achievable from the first floor windows on the rear elevation of the property. It must also be considered that trees and mature planting are present to the rear of the dwelling providing additional protection to residential properties situated to the rear of the site.

SUMMARY

The proposed development is considered to accord with relevant development plan policies and as such is recommended for approval subject to the below 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 no impacts have been identified upon any 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 plan;

· Proposed Plans, Elevations, Roof Plans and Site Block Plan - 1089.03.b

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls, roofs and windows of the proposed alterations have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/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 GEN7 of the Arun District 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 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.