

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

REF NO: EP/89/18/HH

LOCATION: 39 Hillview Crescent
East Preston
BN16 1RG

PROPOSAL: Loft conversion & single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to extend the roof on both sides to change the ends to tile hung gables and add a flat roof dormer to the rear (for an ensuite bedroom) and add a flat roof extension to the rear adjacent to the existing flat roof element projecting out the same distance, raising the height to 3 m.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	2m close boarded fences on side and rear boundaries of rear garden, and 1m high wall on front boundary with planting behind
SITE CHARACTERISTICS	Bungalow with pyramid roof set back further from the road than its neighbours with single storey flat roof element across half the rear 2.6 m high and projecting out 1.8 m.
CHARACTER OF LOCALITY	Residential area of bungalows with hipped and gable roofs which with the exception of the application property are of two or three different designs grouped together with a uniform building line.

RELEVANT SITE HISTORY

Noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council

Parish Council - Objection - The proposed development will result in a very square property, out of keeping within the street scene and unlikely to look part of the original house. The Parish Council also believe that the proposal will have an unacceptable impact on the character and appearance of the host dwelling. The Parish Council also believe that the proposed development is in conflict with Policies 1 and 3 of the East Preston Neighbourhood Development Plan.

No representations received from adjacent occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The Parish Council's comments will be addressed in the conclusion section.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable:

Within the built up area boundary

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

[East Preston Neighbourhood Plan 2014 Policy 3](#) Design in Character Area Two

East Preston Neighbourhood Plan 2014 Policy 1 Housing - General Principles

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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.

The East Preston Neighbourhood Plan has been 'made' and the relevant policies are Policies 1 and 3.

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 not comply with relevant Development Plan policies in that it would have a significantly detrimental impact on the character of the area, and would not be a subservient addition in conflict with policies D DM1(1), D DM4(b) of the Arun District Local Plan (2011-2031) and policy 1 i. of the East Preston Neighbourhood Plan and would result in a significant alteration to the roof in conflict with Policy 3 of the East Preston Neighbourhood Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there 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 located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun District Council Local Plan(2011 - 2031). In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun District Council Local Plan and Policies 1 and 3 of the East Preston Neighbourhood Development Plan.

VISUAL AMENITY

The proposed rear extension is considered to be an acceptable addition to the host dwelling, as it projects only 1.8m from the rear wall, bringing it in line with the existing rear extension. This is considered to appear well integrated with the host dwelling, as it 'squares off' the dwelling, creating a more visually unified dwelling.

Due to the prominent position of the property, the proposed roof development is visible from the street scene and its lack of subservience to the host dwelling means that due to its awkward design and large scale it appears as an alien feature in conflict with policies D DM1(1), D DM4(b) of the Arun District Local Plan (2011-2031) and Policy 3 ii. of the East Preston Neighbourhood Plan. The development is in direct conflict with Policy 3 ii. of the East Preston Neighbourhood Plan due to the increase in height of the roof and its basic form being altered.

This unacceptable change in building appearance is also resulting in an unacceptable and detrimental impact on the established character of the wider area. The area is characterised by bungalows with a consistent roof form which give the area a uniform character and appearance. The prominent large scale roof extension is out of keeping with this character and appearance of the locality in conflict with D DM1 (1), D DM4(e) of the Arun District Council Local Plan (2011 - 2031) and Policy 1 of the East Preston Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

Due to the design of the proposal the resultant property will be bulkier than at present. However, given the separation and relationship to neighbouring dwellings it is not deemed that these alterations will be overbearing towards neighbouring properties. Views from the proposed rear dormer would be directed towards the far end of the site, where the property backing onto the site is considered to be a sufficient distance away to prevent invasive views. The proposal is deemed to be in accordance with D DM1(3)

and D DM4 (c) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to conflict with relevant development plan policies and as such is recommended for refusal for the following reason.

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

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 proposed roof alterations due to their siting, scale and design will result in an unacceptable incongruous impact on the host property and that of the character and appearance of the area in conflict with Policy D DM1 and D DM4 of the Arun District Council Local Plan, policies 1 and 3 of the East Preston Neighbourhood Plan and the National Planning Policy Framework.
- 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 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.