

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

REF NO: EP/8/13/

LOCATION: The Gables
South Strand
East Preston

PROPOSAL: Loft alterations including a rear roof extension and a larger replacement dormer on the east elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is for: - Construction of dormer with three windows and three pitched roofs to the existing in-roof bedroom, dormer measures 5m wide x 2.6m high x 2m deep. - Construction of an ensuite bathroom and robe to existing in-roof bedroom. - Extension at rear to accommodate new staircase. - Feature window to front gable. - Materials are tile and timber to match existing.
SITE AREA	Approximately 718sqm.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Southern and western boundaries are marked by vegetation only. The eastern boundary is marked by a 2m timber fence and an outbuilding.
SITE CHARACTERISTICS	Application site is a triangular lot. Improvements on site include a two storey detached dwelling with rear and side extension and outbuilding at rear.
CHARACTER OF LOCALITY	Application site is surrounded by large detached two storey dwellings.

RELEVANT SITE HISTORY

EP/59/10/	Removal of existing conservatory at rear and garage on east side.Erection of single storey extension access rear and down east side incorporating new garage.	Approve Conditionally 23-07-2010
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REPRESENTATIONS

Representations received:

East Preston Parish Council

- Objection.
- The property is in a prominent location in the Angmering-on-Sea Estate.
- Some of the proposal tidies up the existing property.
- There is a risk that the roof extension and triple-window dormer will result in a top-heavy building.
- This was not easy to judge from the drawing submitted.

Comments on Representations received:

- It is not considered that the proposed roof extensions will result in a building with a top-heavy appearance. The design is considered acceptable in this instance. Adjoining properties (e.g. Melita adjoining to the west) have varied roof forms and dormers and the proposal is not uncharacteristic.
- The submitted drawings include adequate detail for consideration of the planning application.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7 DEV19	The Form of New Development Extensions to existing residential buildings
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PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

EPDS	East Preston Village Design Statement by E P Parish Council
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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.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can

carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 OF DEVELOPMENT

The application site is located within the built-up area boundary where the principle of development is acceptable.

GEN7 THE FORM OF NEW DEVELOPMENT

The proposal responds to the characteristics of the site and will not result in an adverse amenity impact to any neighbouring properties.

DEV19 EXTENSIONS TO EXISTING RESIDENTIAL BUILDINGS

Visual Amenity

The proposed extension sympathetically relates to the existing building in siting, design, form, scale and materials. The proposed roof pitches match the existing.

The proposed extensions are visually subservient to the existing building, located below main ridge.

The proposal will not compromise the established spatial character or pattern of the street. The proposed works are only at the upper level.

Residential Amenity

The proposed extensions are minor and do not increase the overall height of the building. Due to

the orientation of the site and the separation from the dwelling to the east by 16m and the dwelling to the west by 8m, an adverse amenity impact as a result of overshadowing will not occur.

The proposed extensions are minor and due to the separation distances identified above, an adverse overbearing effect will not occur to any adjoining properties.

The proposed dormer windows to the eastern elevation are located 9.5m from the boundary and 16m from the dwelling to the east and serve a bedroom and bathroom. The proposed gable feature window on the southern (front) elevation faces onto the street and is 22m away from the nearest dwelling and serves a bedroom. The proposed windows will not result in an adverse overlooking impact to any neighbouring property. The proposed velux rooflights on the northern (rear) elevation and western elevation will not result in any overlooking.

EAST PRESTON VILLAGE DESIGN STATEMENT

The application site is located within Character Area One of the East Preston Village Design Statement. The relevant points of the statement require that extensions are not so large as to significantly reduce the garden and that attic rooms are permissible so long as they do not increase the roof height. The proposal will not reduce the garden and the extension to the roof will not increase the overall height of the dwelling. The dormers are set down from the ridge and are subordinate to the roof. The proposal is acceptable in this regard.

CONCLUSION

The proposal is considered to comply with the relevant policies as discussed above and is therefore recommended for approval subject to 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

In assessing this proposal a neutral impact has 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: AR-87 dated 20 December 2012, AR-87-2 dated November 2012, AR-87-3 dated December 2012 and Proposed Side Elevation.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 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 of the existing building.

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

SUPPLEMENTARY PLANNING 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.

- 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.