

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

REF NO: EP/91/21/HH

LOCATION: 23 Seaview Road
East Preston
BN16 1LX

PROPOSAL: Replacement of existing roof including loft conversion and raising of ridge and eaves by 500mm. Dormer to rear roof slope. Alterations to existing external materials. Insertion of new bi-folding doors to rear of property. Construction of new porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Replacement of roof at a level 500mm above existing and new full width dormer.

REPRESENTATIONS

Parish Council - Objection

- Additional height could result in over development of site.
- Dramatic changes to rear elevation, not so much front, resulting in 3-storey look to building, clearly visible from many vantage points.
- Full width dormer unlikely to be subservient.
- Possibility of increased overlooking of neighbouring properties.
- Increased demand for parking, limited on site parking could lead to over spill onto road.
- Concern about choice of materials.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

BUAB

Area of Character

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)
HERDM4	HER DM4 Areas of Character

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

Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 2

Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS**PRINCIPLE**

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 D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy D DM4 relates to Areas of Character. In this instance the area is defined by its proximity to Sea Lane which consists of a narrow coastal lane with no formal road markings or pavement. This, combined with hedges and small trees, contributes towards an informal character. The road is defined by a flint wall and the view towards the sea is impressive. It is noted that the area intersects the application site.

Policy HER DM4 seeks to retain and if possible enhance prominent features which make up the special character of the areas defined within the policy maps.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, roof extensions should not be visually intrusive or block light into surrounding properties and dormers should be positioned in discreet locations, on the rear of the property wherever possible. In general roof extensions should not detract from the character and appearance of the building and local area.

East Preston has a made neighbourhood plan and policies 1 and 2 are of relevance to householder extensions. Policy 1 looks to control general principles relating to householder extensions including character and scale, car parking provision, amenities of local residents and protection of green spaces. Policy 2 provides the areas of character (Area 1) design guidance and seeks to control density, size and outlook.

DESIGN AND VISUAL AMENITY

The proposal seeks to enlarge the habitable accommodation within the loft space by raising the roof structure with the addition of a full width flat roof dormer. The amount of habitable space provided, although proportional to the dwelling, is seen as an over development of the site, which sits on a small plot when compared to surrounding neighbours.

On the southern side of Seaview Road the scale of the properties and their features looks to be uniform, it is believed therefore that the increased height of the roof will be noticeable. It is also noted that there will be a departure from the existing material choice, which, when combined with the height increase,

contributes to the extension feeling dominant over the existing dwelling and not visually sympathetic.

From the rear, the dormer extension will be highly visible from Sea Lane and from the beach access. The Parish have commented that the full width flat roof dormer would give the appearance of a third storey which would be contrary to policies 1(i) and 2(i) of the EPNP. It is agreed that the flat roof dormer would not be visually subservient to the existing dwelling, especially at its raised level and therefore conflicts with policy and design guidance which recommends dormers are not visually intrusive.

Having regard to the aspects of design and visual amenity, the proposal is deemed to conflict with D DM4 (a) (b) of the Arun Local Plan and Part M of the Arun Design Guide and with the EPNP policies 1 and 2.

RESIDENTIAL AMENITY

In combination, the proposed roof reconfiguration and full width dormer are considered to be overbearing on neighbouring properties. Although the proposal faces the side elevation of the neighbouring care home to the south, the restricted rear garden area of No 23, leads to an unsatisfactory relationship between the two dwellings. This relationship will also be highly visible due to No. 23s exposure to Sea Lane. Design Guidance recommends a minimum of 14m between the backs of two-storey dwelling and side elevations of adjoining properties, the distance between the dormer and the side of care home will be approximately 8m which is of concern.

Due to the orientation of the property, it is not thought that there will be any negative effects from the minimal increased overshadowing brought about by the development.

The proposed fenestration to the rear dormer is to habitable accommodation. The windows will face towards the residential care home directly to the south. There appears to be at least one existing window which may serve a habitable room in the northern elevation of the care home. Due to the restricted distances between buildings it is considered that the views from the dormer may give rise to unacceptable levels of overlooking, or at the least a perceived level of overlooking and result in a negative loss of privacy.

It is therefore considered by virtue of being overbearing and overlooking that the proposed extensions conflicts with policy DDM4 of the Arun Local Plan and Part M of the Arun Design Guide.

AREA OF CHARACTER

This proposal is considered to have no effect on the Area of Character. It is noted that only a portion of the application site is located within the area and the property will not lose any important identifiable features in accordance with policy HER DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to conflict with the relevant development policies and as such is recommended for refusal for the reasons set out below.

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

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

REFUSE

- 1 The proposed roof alteration and dormer window by reason of their size and design, would not be visually subservient to the main dwelling, particularly to the rear elevation and would appear to create a three-storey dwelling house, which would compromise the established spatial character of the area. Consequently, the proposed development would be in conflict with policies D DM1 D DM4 of the Arun District Local Plan and policies 2 and 3 of the East Preston Neighbourhood Plan.
- 2 The proposed windows on the southern elevation are likely to give rise to direct overlooking of adjacent properties to the detriment of the amenities of the occupants of these properties in conflict with policies D DM1 and D DM4 of the Arun District Local Plan and the Arun Design Guide.
- 3 **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.