

Recommendation Report for Planning Permission

REF NO: FN/1/12/

LOCATION: 11 Downland Close
Findon

PROPOSAL: Loft conversion incorporating 3 no. velux rooflights (this application lies within the South Downs National Park Authority)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The footprint, bulk and mass of the building will not be affected, the only external changes being the provision of the roof lights.
SITE AREA	Approximately 475 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	The site itself is generally flat but is raised approximately 0.7 metres above the level of Stable Lane, which passes to the north.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The front of the site is open plan. The northern and western boundaries are marked by approximately 1.8 metre high timber close boarded fencing. There is coniferous hedging, approximately 2 metres in height, planted along the southern boundary.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling which has red brick elevation walls and a tiled, hipped roof which contains an eyebrow dormer on the front slope. A lean-to conservatory extension has been added to the rear.
CHARACTER OF LOCALITY	The site is located on a corner plot on a residential cul-de-sac that is characterised by detached bungalow dwellings, with small gaps maintained between buildings, that are set back from the road with open lawns, verging and other landscaping helping to produce a green, open and spacious character and appearance.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:
Findon Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

South Downs National Park

DEVELOPMENT PLAN POLICIES

South East Plan: [SEPC2](#)

South East Plan- Policy C2 The South Downs

Arun District Local Plan: [GEN2](#)

Built-up Area Boundary

[GEN7](#)

The Form of New Development

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

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.

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

The proposed works do not involve any increase in the size, footprint or mass of the existing building which will retain its existing form. The provision of roof lights on the southern (side) and western (rear) roof slopes will result in cosmetic changes that will be subtle and have limited impact upon the street scene. It is noted that there are other properties on Downland Close, and

other nearby streets, that have roof lights installed, including in more prominent positions on the front slope. It is therefore considered that the proposal would not be out of keeping with the character and appearance of the surrounding area.

As the proposal will not involve any increase in the size of the existing building it is not considered that it would introduce an overbearing or overshadowing presence. Views from the rear facing roof lights will look towards the far end of the site and towards No. 2 Nepcote Lane, where there is existing rear facing roof lights. The distance between the proposed roof lights and the roof lights at 2 Nepcote Lane is some 17 metres and this degree of separation, combined with the angled aspect of the roof lights, is considered to prevent them from offering intrusive views. The proposed side facing roof light will angled upwards and any views towards the neighbouring dwelling will be limited to areas of the roof slope and not invasive of privacy.

It is therefore recommended that the application is approved, subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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 application it is deemed that the proposed works would have a neutral impact 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:-

1:1250 Site Plan;
1:500 Block Plan;
Existing & Proposed Elevations (1:100);
Section A-A (1:100);
Proposed Ground & First Floor Plan (1:50);
Existing Roof Space (1:50);

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 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: GEN2, GEN7

SOUTH EAST PLAN: C2

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.