

PLANNING APPLICATION REPORT**REF NO:** FP/161/08/**LOCATION:** 10 Thirlmere Way
Felpham**PROPOSAL:** Loft conversion**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Front flat roof dormer to measure (at maximum) approximately; 1.7m in height, 5.5m in length, and 2.8m in depth Rear flat roof dormer to measure (at maximum) approximately; 2.2m in height, 5.5m in length, and 3.7m in depth Insertion of window serving bathroom into north-east gable of existing property
SITE AREA	Approximately 240 square metres
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Domestic fence to side and rear, reinforced by shrubs approximately 1.8m in height. Open frontage to road.
SITE CHARACTERISTICS	Semi-detached bungalow with brick walls and pitched tiled roof. PVCu windows and doors
CHARACTER OF LOCALITY	Residential. Immediate street scene is comprised of semi-detached and detached bungalows of similar style and design. Number 19 has similar front and rear dormers. Two-story properties within wider street scene of cul-de-sac.

RELEVANT SITE HISTORY

FP/68/91	Sectional concrete garage	Approve 08-07-1991
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REPRESENTATIONS

Representations received:

Felpham Parish Council

Felpham Parish Council: No objection with the proviso that the new bathroom window should have obscure glass

Comments on Representations received:

Noted. Prior to 1st October 2008, the insertion of a window into the wall of existing residential property fell outside of the control of Local Planning Authority (LPA) under the terms of the General Permitted Development Order 1995 (as amended).

Now, that legislation has changed, and such development has been brought under the control of LPA, which has to consider the impact of the new window onto the residential amenities of occupiers of neighbouring properties.

This has been duly done. It is recognised a certain degree of overlooking, and a certain amount of loss of privacy, would result from the window onto the occupiers of the neighbouring property to the north-east, No. 12 Thirlmere Way.

However, that window does not abut the shared boundary between the two properties (Nos. 10 and 12). Rather, it is set back approximately 2.5m off that boundary. The window does not directly look into any window of No. 12. Neither does the window directly overlook the rear garden of No. 12.

If a person were to stand at the window, they would look out onto the tip of the gable and the most part of the roofslope of No. 12, both of which are unadorned by windows or other glazed openings. Glancing downward they would view a small section of the roof covering of No.12's single storey side car port. Only by leaning out of the window when it is open, would that person achieve oblique views of a small section of No. 12's rear garden.

For these reasons, it is not considered the window as obscure glazed would result in demonstrably adverse overlooking and loss of privacy onto No.12.

CONSULTATIONS**Consultations responses received:**

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	DEV1	High Quality Development
Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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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 of the locality, or its character.

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 and residential amenities of the locality, or its character.

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 dormers are considered to be of reasonable design and scale to the property and wider street scene. Both are visually subservient to the main building, and sit reasonably comfortably within the roof slopes so not to be overtly dominating. As such, the character and appearance of the street scene is not detrimentally impact upon. It is important to note No. 19 has constructed near identical dormers to those proposed. The adjoining property, No. 12, has extant planning permission for the same. Whilst approval of these does not imply the current proposal should be accepted, their existence indicates such built form features contribute to the established character and appearance of the street scene.

Due to their modest scale and design, which results in the dormers being set in from the flanks of property and down below the ridge height, it is not considered either dormer would have an adverse overshadowing or overbearing effect on neighbouring properties. Further, no direct overlooking into neighbouring properties would occur as a result of the dormers being constructed. Any overlooking that may occur is therefore considered to be of a minimal and acceptable nature.

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

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 materials and finishes of the front and rear dormers hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the cheeks of the rear dormer hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 4 The bathroom window in the gable on the northeast elevation of the dwellinghouse building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 5 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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

STRUCTURE PLAN: LOC1, DEV1

LOCAL PLAN: GEN7, DEV19

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.