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

REF NO: FP/55/25/HH

LOCATION: 35 Davenport Road
Felpham
PO22 7JS

PROPOSAL: Loft conversion with dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

FP/41/22/HH	Construction of a replacement sun room.	ApproveConditionally 04-05-22

REPRESENTATIONS

Felpham Parish Council - No objection.

1 objection received from a nearby occupier, key points noted below.
- 90 to 120 degree views within 20-25 metres of the patio and garden at 37 Davenport Road.
- Direct views in to the main living room, front living room and in to the master bedroom on the first floor of 37 Davenport Road.
- Advise that if the proposed dormer window were to use obscured glass, with minimal impact on natural light in to the proposed upstairs master bedroom, and if the window hinges were positioned with an appropriate opening angle to restrict view of our property, and comply with fire regulations to allow an escape route from the dormer window, this would ameliorate the concerns considerably.

Comments noted and will be addressed in the conclusions section.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

- Within an area with potentially high groundwater levels.

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)

Felpham Neighbourhood Plan 2019-31 Policy ESD1 Quality of Design

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

DESIGN AND VISUAL AMENITY

The property is a detached dwelling at the junction between Longport Road and Davenport Road. The application is for the construction of a front dormer and the conversion of the loft space to habitable use. The proposed changes will be visible from the street scene. The dwellings along Davenport Road and the surrounding roads have varied designs and are generally a mix of bungalows and chalet bungalows. There are multiple examples of front dormers with flat roofs within the street scene and wider locality such that the proposed dormer would not appear at odds within the street scene.

The flat roof front dormer would be inserted within the front (east) roof slope of the property and would be visible from the street scene. The front dormer would be proportionately positioned within the front roof slope and will measure approx. 4.6m wide x 2.3m deep x 1.7m high. The dormer would respect the original roof ridge height and would maintain a symmetric appearance overall. The dormer will feature composite horizontal cladding on the dormer cheeks and a GRP flat roof. The windows are to be of uPVC.

Part M of Arun Design Guide (ADG) requires front dormers to be centrally located and to not damage the original character and appearance of the building and its surrounding area. Whilst the front dormer will have some impact on the composition and appearance of the street due to its positioning, this impact will be limited, given the existing examples of front dormers within the vicinity. The composition of the street will be marginally disrupted by the works, but this will not be harmful and is acceptable. The proposed dormer would result in limited harm on visual amenity of the locality and remain in keeping with the character of the area.

Internal changes are proposed including the conversion of the loft space to habitable use. As the works pertaining to the conversion of the loft would not externally alter the appearance of the dwelling, the works are acceptable. A rooflight is proposed within the western roof slope of the dwelling. Given the siting and size of the rooflight, the rooflight would not result in any harm to the character or appearance of the host dwelling or street scene.

Although visible from the street, the proposal will not result in harm upon the appearance or character of the area and is in accordance with policies D DM1 and D DM4 of the Arun Local Plan, the Felpham Neighbourhood Plan, and Arun Design Guide.

RESIDENTIAL AMMENITY

The ADG states extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows. The proposal is in accord with this in that the front dormers do not

cause any invasion of privacy or overshadowing.

Whilst the proposal would result in an increase in the bulk of the roof, given the corner location of the site the works would not result in adverse overbearing or overshadowing impacts to any neighbouring properties and would not result in harm to residential amenity.

The introduction of a new windows at first floor level within the dormer to the eastern roof slope will provide views across the front of the property. Whilst some views of neighbouring gardens opposite the application site would be available, the separation distance (dwelling to dwelling) between the two properties is approx. 20m (measured from the proposed front dormer to the western elevation of the neighbour at number 37 Davenport Road) with an approx. 6.6m road separating the two properties. As such, the views of neighbouring gardens would be limited. Front dormers are a common feature within the locality and the front dormer would not result in significant adverse harm in terms of overlooking to neighbouring properties.

The dormer would be located at first floor and would not project beyond the existing ground floor footprint, as such, the separation distances to neighbouring properties are retained. The proposal does not conflict with the 45-degree, or 60-degree rules outlined in part M of ADG which seeks to protect neighbouring amenity in terms of privacy and overshadowing.

A rooflight is proposed within the rear (west) roof slope of the dwelling. Given that the window would be sited less than 1.7m above the internal finished floor level, the proximity of the rooflight to the neighbouring property to the west, and that the rooflight would align with the patio area of this neighbour, a condition will added requiring the rooflight to be obscure glazed and be non-openable below 1.7m above finished floor level to prevent loss of privacy to the occupiers and neighbouring dwellings.

Subject to conditions, the proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan and would not result in unacceptable harm to neighbouring amenity. It also complies with Part M of the Arun Design Guide and the Neighbourhood Plan.

SUMMARY
The proposed development is in accordance with relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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 not CIL liable.

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:

- Proposed Site Plan - 1001-DPA-002 Rev A.
- Proposed Elevations - 1001-DPA-006 Rev A.
- Existing Location and Site Plan 001.
- Proposed Site Plan 002.
- Existing and Proposed Ground Floor Plans 003.
- Proposed Loft Plan 004.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

3 The rooflight within the western roof slope shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and be non-openable below 1.7m above finished floor level. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with Arun Local Plan policy D DM1.

4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning

(Development Management Procedure) (England) Order 2015 (as amended). 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.