

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

REF NO: LU/140/13/

LOCATION: 22 Terminus Road
Littlehampton

PROPOSAL: Dormer extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for a rear dormer with a hipped roof which is situated within the existing roofslope. It measures approximately 1.4m in depth, approximately 2m in width and approximately 2.6m in height. It will be constructed from cement board cladding walls and a tiled roof.
SITE AREA	Approximately 135 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To front a stone and brick wall at approximately 0.5m in height. To rear, close boarded fencing on top of natural stone walling totalling approximately 1.8m in height.
SITE CHARACTERISTICS	A mid-terraced property with natural stone elevations and brick capping around some of the windows. There is a ground floor bay window to front.
CHARACTER OF LOCALITY	Predominantly residential in character with three storey terraced properties immediately adjacent to the property and blocks of flats to the south along River Road. A railway station and associated car park are located to the north.

RELEVANT SITE HISTORY

N/A

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee

Objection. We suggest a sample of the roof for the box dormer - preferably lead covered - and to be of no greater height than of those close by.

Comments on Consultation responses:

Noted. According to the application form, the dormer will be constructed from cement board cladding walls and a tiled roof. These materials are considered to relate sufficiently well with existing. To request a sample of the roof material is considered too onerous on the applicant and unnecessary. However, a condition will be imposed with any permission granted to ensure that its colour matches the host property. Numbers 20, 21 and 25 Terminus Road are all been noted as having rear dormers in the roofspace. The proposed dormer height is considered acceptable for the property and the surrounding area.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Conservation Area
Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN22	Buildings or Structures of Character
	DEV19	Extensions to existing residential buildings
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

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.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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

The site lies within the built-up area boundary where residential development is acceptable in principle, subject to it complying with the relevant Development Plan policies.

DESIGN AND VISUAL AMENITY

The rear dormer is set appropriately within the roofspace and does not exceed the ridge height of the property or project beyond the existing roofslope. The materials of the dormer are considered to relate well with the host property, particularly with the proposed tiled roof and therefore accords with Local Plan policies GEN7(ii) and DEV19(i). Even so, a Condition will still be placed on the permission to ensure that these tiles match as closely as possible to the existing roofslope. This is especially important given the special designation of the property as a Building of Special Character and within a Conservation Area.

RESIDENTIAL AMENITY

The dormer has no side windows and so overlooking is not an issue on to neighbouring properties at the east and west. Due to the long rear garden, the proposed rear dormer is not considered to give rise to any adverse effects including overlooking at a demonstrable level of harm. It is therefore acceptable under policy GEN7(iv). There are also similar rear roof dormers at Numbers 20, 21 and 25, even though these all have flat roofs.

It is therefore recommended that approval is granted, subject to the following 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 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, 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: drawing numbers 1 (proposed block plan, elevations and floor plans) and 2 (existing elevations, floor plans, roof plans).

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 The materials and finishes of the external roofs of the rear dormer hereby permitted shall match in colour and texture to 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: GEN2, GEN7, GEN22, DEV19, AREA2

NATIONAL POLICIES: National Planning Policy Framework

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

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.