

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

REF NO: LY/8/20/HH

LOCATION: Pauls House
254 Church Lane
Lyminster
BN17 7QJ

PROPOSAL: Replace existing roof, repair and repoint chimneys & insert a new dormer window on rear elevation. This application may affect the character & appearance of the Lyminster Conservation Area & may affect the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to replace the existing roof, repair and repoint chimneys and insert a new dormer window into the rear elevation.

RELEVANT SITE HISTORY

LY/4/17/HH	Replace existing conservatory with new single storey building, insert a new dormer window on rear elevation, remove the existing lean-to on rear elevation & replace with a glass roof veranda, insert new roof light in front elevation, carry out some internal alterations to the existing layout. This application affects the character & appearance of the Lyminster Conservation Area	ApproveConditionally 31-03-17
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REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Conservation Officer - No formal consultation. A discussion was had regarding this proposal, where it was stated that the proposal would have no harm to the significance of the heritage assets.

Conservation Area Advisory Committee - No objection.

POLICY CONTEXT

Designation applicable to site:
 Tree Preservation Order
 Locally Listed Building
 Within Lyminster Conservation Area
 Outside Built up Area Boundary

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)
DSP1	D SP1 Design
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4).

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 HER DM2 of the Arun Local Plan relates to Locally Listed Buildings or Structures of Character. First, it sets out the criteria that should be met by the buildings in order to become locally listed. With relation to the alteration or extensions of buildings on the Local List, it states that the proposal should relate sensitively to the building, respecting its architectural, landscape or historic interest.

Policy HER DM3 ensures that development will only preserve or enhance the character of the

Conservation Area of which they area within, or affect the setting of.

Lyminster does not have a 'made' Neighbourhood Development Plan for consideration.

DESIGN AND VISUAL AMENITY

The proposed works to the roof and chimneys is considered to be reparative in nature, in that the resulting dwelling will not appear significantly different to that existing. As such, the works cannot be considered to have any harmful impact upon the established character of the host dwelling, or its locality.

The proposed rear wall dormer will not be visible within the street scene, due to its siting and scale. The dormer is considered to appear well integrated with the host dwelling, and subservient to its built form. It is noted that the proposal is similar to other dormers constructed on dwellings within the area which is considered to allow the dormer to be greater integrated with the established character of the locality.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development does not cause harm to the conservation area in which it is sited, or neighbouring listed buildings. This is due to the reparative nature of the proposal, and the rear dormer not being visible within the street scene. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon occupiers of nearby dwellings. This is due to the minor built form of the proposal and its siting. The proposed dormer is not considered to provide any views of which are unavailable from the host dwelling at current.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

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.

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:

- Location Plan - 107465
- Proposed Floor Plan
- Elevations as Proposed
- Design and Access Statement

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

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed dormer, and those materials used in the works for the roof and chimney repairs have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the Locally Listed Building by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 **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 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.