

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

REF NO: WA/65/17/HH

LOCATION: Bramble Cottage
West Walberton Lane
Walberton
BN18 0QS

PROPOSAL: Enlargement of 2 No. dormer windows on south elevation, addition of 1 No. 'Velux' style rooflight on south elevation, addition of 2 No. dormer windows on north elevation & replacement of 16 No. windows & 2 No. external doors. This application affects the character & appearance of the Walberton Green Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundaries of the site consist of a mixture of mature planting and brick walling, piers and fencing.
SITE CHARACTERISTICS	The site is occupied by a detached two storey dwelling constructed from brick with a tiled roof. The property features a conservatory on the western elevation and dormer windows on the primary and rear elevations.
CHARACTER OF LOCALITY	The character of the locality is semi-rural and features residential properties of various designs and styles.

RELEVANT SITE HISTORY

WA/87/82	Four Bedroomed Chalet Bungalow	ApproveConditionally 02-03-83
WA/73/82	Porch	ApproveConditionally 03-11-82
WA/66/71	Garage	ApproveConditionally 08-12-71

WA/75/86	Proposed Detached Garage And Conversion Of Existing Garage Into A Bedroom	ApproveConditionally 15-12-86
WA/36/17/HH	Enlargement of 1 no dormer, addition of 1 No velux rooflight on the southern elevation, the addition of 2 no dormer windows on the northern elevation & replacement windows & external doors - This application affects the character and appearance of Walberton Green Conservation Area.	ApproveConditionally 31-08-17
WA/42/02/	Single storey side extension brick/timber/glazed structure.	ApproveConditionally 22-08-02

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Walberton Parish Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

CAAC - Objection

The two front dormers would result in an inappropriate roof and detract from the character and appearance of the Conservation Area.

It is suggested that grey powdered aluminium windows instead of grey upvc windows be used.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and impact on conservation area considered to be acceptable.

POLICY CONTEXT

Designation applicable to site:
Within built area boundary
Conservation Area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

AREA2	Conservation Areas
DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
HER DM3	Conservation Areas
SD SP2	Built -Up Area Boundary

<u>Walberton Neighbourhood Plan Policy 2017 VE4</u>	Conservation Areas and Areas of Special Character
Walberton Neighbourhood Plan Policy 2017 HP13	Design Guidance

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) were out for Public Consultation over a six week period starting on Friday 12 January 2018 until Friday 23 February 2018.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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.

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting or character of the Conservation 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 application site is situated within the built up area boundary where the principle of development is considered acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be GEN7, DEV19 and AREA2 of the Arun District Local Plan; Policy VE4 of the Walberton Neighbourhood Plan; and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed alterations by virtue of their design and location are considered to appear subservient and well integrated with the host dwelling in accordance with policy DEV19(i) and (ii) of the Arun District Local Plan.

The proposed 2 roof dormers to the rear of the dwelling are not considered to have an unacceptably adverse impact upon the character or appearance of the Conservation Area by virtue of their location.

The proposed alterations to the rear of the property will be visible within the street scene when viewed from the north. However, it is considered that the development to the north of the application site is modern in design and as such makes little contribution to the character of the Conservation Area. Therefore, this part of the application is considered to appear in keeping with the character of the locality and will not adversely impact upon the street scene.

An objection has been raised by the Conservation Area Advisory Committee. They view the enlargement of the front 2 dormer extensions as detracting from the building character and that of the character and appearance of the Conservation Area. The enlargement is not considered to be excessive and will not appear as an incongruous feature given that dormers are already present. This aspect is therefore seen as acceptable and not devaluing the Conservation Area.

With respect to the roof light it could be installed as permitted development under Schedule 2, Part 1, Class C of the Town and Country (General Permitted Development) Order 2015 (as amended).

The replacement windows and doors with the use of upvc materials is considered acceptable. The property is on the margins of the Conservation Area boundary and overlooks a residential development in Long Mead of properties with upvc framed windows and doors. This aspect will therefore preserve the character of the Conservation Area.

Therefore, it is considered that the proposed alterations will preserve the character of the Conservation Area, in accordance with policy AREA2 of the Arun District Local Plan, and will not adversely impact upon the spatial pattern of the street scene or the character of the host dwelling. As such, the proposed development is deemed to accord with policy GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed alterations to the primary elevation by virtue of their design and location are not considered to give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts.

The additional dormers to the rear elevation whilst they give rise to some overlooking merely add to the overlooking that already exist. In addition the distances to nearest residential properties are in excess of 20m and therefore acceptable.

Therefore, the proposed development is deemed to accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is considered to accord with relevant development plan policy and as such is recommended for approval subject to the below 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

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: COO71-P110, COO71-P111B, COO71-P112B, COO71-P204B, COO71-P205B, COO71-P206B, COO71-P204B.

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

- 3 The materials and finishes of the external walls and roofs of the building hereby permitted shall match in colour and texture 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:** 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.