

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

REF NO: Y/16/22/HH

LOCATION: 2 Lilac Cottages
Church Lane
Yapton
BN18 0EH

PROPOSAL: Conversion of loft to habitable use including the installation of 1 x front dormer.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The application seeks to convert the loft into a habitable space which will involve the addition of a dormer to the front elevation, a velux to the rear and the alteration to the design of the roof.

REPRESENTATIONS

Yapton Parish Council provided no objection subject to materials being appropriate with the site adjoining the Conservation Area.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ADC DRAINAGE: Due to the scale and type of application no conditions requested.

POLICY CONTEXT

Built up area boundary
Building of Special Character

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E9

Listed Buildings and Buildings or Structures of

Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1, D DM4 and HER DM2 of the Arun local Plan and the Arun Design Guide.

Yapton has a made Neighbourhood Plan with policy BB1 is of relevance to the proposal as it relates to the built up boundary.

DESIGN AND VISUAL AMENITY

The dormer would front the street scene and be highly visible from the wider area. The front dormer appears well designed and will have a pitched roof. It is modest in size and appears appropriate in scale. Its position is centred on the roof, in line with the window and porch below. The dormer is acceptable in design.

To enable the loft conversion, the design of the roof will alter. Currently the main dwelling has 2 gable pitches and this will alter in such that a flat roof will be constructed between the pitches.

The roof alteration does not sympathetically relate to the existing dwelling and does not adhere to the roof form pattern identified in the neighbouring properties. This would result in a roof design that differs significantly from the neighbouring dwellings and will adversely impact the appearance of the property and result in the dwelling appearing out of character in relation to its neighbours.

It is noted that there is no formal pattern with regards to the design of surrounding dwellings in the area which vary in appearance. However the host dwelling is located to the centre of 3 dwellings all of which are similar in design and are recognised as building of characters. The consistency of these properties in their design forms part of their character and this will be detrimentally altered.

The Arun Design Guide states 'Alterations to the roof profile should not detract from the character and appearance of the dwelling or wider area in any case.' and 'Extensions to the roof should not damage the character and appearance of the original building and its surroundings. The proposal would conflict with this statement as the roof alteration would result in the character of the property being negatively impacted which would further damage the dwellings appearance in relation to the surrounding area. The proposal conflicts with the Design Guide.

As a result of the roof alteration, it would result in the dwelling appearing out of character and harm the appearance of the property in wider area in conflict with D DM1 (1) and D DM4 (a) (b) and (e) of the Arun Local Plan. It also conflicts with Section M of the Arun Design Guide.

RESIDENTIAL AMENITY

The dormer is located to the front elevation of the property and due to its modest size, contained with the existing roof slope it would not result in harm upon nearby occupiers. Resultant views would be over the

street scene and as such it would not result in adverse overlooking.

The roof alteration will result in the addition of a flat roof between the pitches. Due to the siting of this, it will not result in adverse harm by way of overbearing or overshadowing upon neighbouring properties.

There would be a velux to the rear elevation which would provide some views towards the properties to the rear which are currently not achievable. However it is not considered the velux would result in significant overlooking with sufficient garden distance retained.

The proposal would not result in adverse harm upon neighbouring amenity in accordance with D DM1 (3) and D DM4 (c) of the Arun Local Plan.

BUILDING OF CHARACTER

The property is recognised as a building of character and being locally listed building, it is a building or other structure which is deemed to be of local architectural or historic interest.

Policy HER DM2 relates to these building and states proposals for alterations or extensions to these buildings will be expected to relate sensitively to the building or structure and its setting and respect its architectural landscape or historic interest. It will be sought to preserve features of such buildings which contribute to that interest.

Applications will only be granted for development which results in the loss of these when it can be demonstrated it cannot be put to beneficial use or re-use.

Para 203 of the NPPF states:-

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Whilst it does not result in the removal of the structure as a whole, the proposal significantly alters the design of the m shaped roof which is a feature that contributes to the interest of the building, impacting negatively on the buildings character. The proposal conflicts with Policy HER DM2 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to be in conflict with relevant development plan policies and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the

general interest and the recommendation for refusal 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

REFUSE

- 1 The roof alteration by reason of its size and design results in adverse harm to a Building of Character and its appearance in relation to its neighbours and surrounding area in conflict with D DM1 (1) and D DM4 (a) (b) and (e) and HER DM2 of the Arun Local Plan and Section M of the Arun Design Guide.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.