



**TO:** Planning Committee North

**BY:** Head of Development and Building Control

**DATE:** 5 September 2023

**DEVELOPMENT:** Conversion of loft including a pitched roof dormer to the rear and installation of rooflights on the front roof slope.

**SITE:** 139 Churchill Way Broadbridge Heath West Sussex RH12 3TY

**WARD:** Broadbridge Heath

**APPLICATION:** DC/23/1303

**APPLICANT:** **Name:** Mrs Shazia Penne **Address:** 139 Churchill Way Broadbridge Heath West Sussex RH12 3TY

**REASON FOR INCLUSION ON THE AGENDA:** The application has been made by a Council Member or an officer or a member of their immediate family

**RECOMMENDATION:** To approve planning permission subject to appropriate conditions

**1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks permission for conversion of the loft to create a third bedroom and en-suite shower room. The proposal includes the installation of a dual pitched roof dormer, of width 2.25m to the rear roof elevation, to be positioned 0.6m below the main roof ridge, and 1.4m up from the eaves (measured along the roof slope). Proposed materials consist of tile hanging to the dormer cheeks to match the existing roof tiles. Roof tiling to dual pitched roof to match main roof tiling. White UPVC window to match existing main dwelling. Also proposed is the installation of three velux rooflights on the front roof slope to light the proposed en-suite, the staircase and storage space.

DESCRIPTION OF THE SITE

1.3 The application site is situated between Churchill Way and the A264, within the built up area boundary of Broadbridge Heath. The property is in a part of the close that consists of largely terraced properties of a similar form and design. The application site contains a two storey, mid terrace dwelling, with its front elevation facing north-east in the direction of the A264. Boundary treatment around the rear of the property consists of close boarded timber fencing.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

2.2 The following Policies are considered to be relevant to the assessment of this application:

2.3 **National Planning Policy Framework**

2.4 **Horsham District Planning Framework (HDPF 2015)**

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

### RELEVANT NEIGHBOURHOOD PLAN

2.5 Broadbridge Heath has not been designated as a Neighbourhood Plan area. There is no 'made' plan for the parish.

### PLANNING HISTORY AND RELEVANT APPLICATIONS

2.6 The most recent and relevant planning history relating to this site is as follows:

DC/09/2101	Erection of 963 residential units, community facility including land for a primary school, neighbourhood centre, youth and recreational facilities, other formal and informal open space, landscaping and environmental works, transport and access arrangements, new east-west link road, improvements to Five-Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other ancillary works (Outline)	Application permitted on 03/10/2011
DC/14/2606	Reserved matters application for the development of 51 residential units, including 10 affordable housing units (20%), the creation of public and private amenity space, incidental public open space, internal circulation routes, landscaping and associated works	Application permitted on 28/05/2015
DC/20/1724	Erection of an orangery to the rear	Application permitted on 03/12/2020

## 3. OUTCOME OF CONSULTATIONS

3.1 **Natural England:** Standing Advice:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its

completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

## PUBLIC CONSULTATIONS

- 3.2 One representation of objection received commenting that they have the following concerns:
- The proposal would unfortunately have a materially harmful impact on the use of the limited private amenity space at our property (2 Cheesmer Way).
  - The objector suggest the relocation of proposed dormer window to the front elevation, and relocation of the proposed roof lights to the rear.
  - Alternative window arrangements and styles such as additional/enhanced rooflights could be incorporated which would allow light to enter roof space but not result in unacceptable overlooking.
  - The proposed dormer window could include obscured glass and a condition applied to the planning permission to ensure this is permanently retained thereafter.

## PARISH COUNCIL

- 3.4 **Broadbridge Heath Parish Council:** No objections, provided there are no material objections from owners of the adjoining / adjacent properties.

## 4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

## 5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

## 6. PLANNING ASSESSMENTS

- 6.1 The main issues are the principle of the development in the location and the effect of the development on:
- The character of the development and the visual amenities of the street scene
  - The amenities of the occupiers of adjoining properties
- 6.2 Policy 33 of the Horsham District Planning Framework (HDPF) states that development shall be required to, inter alia, ensure it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property through, for example, overlooking or noise; ensure the scale, massing and the appearance of the development is of a high standard of design and relates sympathetically with the built surroundings and respects the character of the

surrounding area. In addition, where applicable, development must take account of relevant design statements and use high standards of building materials.

### **Character and Appearance**

- 6.3 The proposed rear dormer would represent some additional bulk and mass to the rear roof slope of this mid-terraced property. However, the proposed design would be of a scale and form that would be subservient to the main dwelling and roof and would not appear unduly prominent or incongruous in views from neighbouring properties or from the wider streetscene. There is also evidence of loft conversion and associated dormer window elements in the local area. It is considered that given the existing arrangement and existing development in the immediate area, the modest sized dormer and rooflights would not have a significant impact on the character of the surrounding area. The visual impact of the proposal is therefore considered acceptable, and it is considered that the proposal complies with the relevant policies of the HDPF.

### **Impact on Neighbouring Amenity**

- 6.4 It is noted that a representation of objection has been received from a property to the rear of the application site commenting concerns of overlooking and loss of privacy from the proposed rear dormer window. The proposed rear dormer would be set back in the roof slope, would not reduce the separation from the shared boundaries on each side and rear. The rear elevation of the neighbouring dwelling to the south-east (no.141 Churchill Way) is set further back than the host dwelling. It is considered that given the existing degrees of overlooking in the area, the proposed rear dormer would not represent a significant increased level of impact and would not result in unacceptable harm to the privacy and amenity of the neighbouring occupiers given the prevailing existing situation and existing views. The impact of the proposal on the privacy and amenity of neighbouring occupiers is therefore considered acceptable and it is considered that the proposal complies with the relevant policies of the HDPF.
- 6.5 The proposed loft conversion of the existing two-bedroom dwelling would create a third bedroom. To the front of the dwelling is an off street parking area for the dwellings forming this terrace and the proposal is not considered to result in any significant intensification of the highways network and parking in the area.

### **Water Neutrality**

- 6.6 The proposed development would provide loft accommodation for the existing family and there is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

### **Conclusion**

- 6.7 The visual impact, and impact of the proposal on the privacy and amenity of neighbouring occupiers and parking, is considered acceptable and it is considered that the proposal complies with the relevant policies of the HDPF. It is therefore recommended that planning permission is granted subject to the appropriate conditions.

## **7. RECOMMENDATIONS**

7.1 It is recommended that planning permission is granted subject to the following conditions:

Conditions:

1. List of approved plans
2. **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Regulatory Condition:** The materials and finishes to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/23/1303