

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

REF NO: FG/100/19/HH

LOCATION: 23 West Drive
Ferring
BN12 5QZ

PROPOSAL: Single storey front extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a single storey front extension to the host dwelling.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No comment.

6 letters of objection:

- The proposal will result in overshadowing of neighbouring gardens.
- The proposal would result in an overbearing impact on neighbouring gardens.
- The proposal will result in a loss of light to principle rooms of neighbouring dwellings.
- The proposal could be accommodated on the rear of the dwelling.
- The proposed en-suite would require an extractor fan, which would create a nuisance, amongst other noise from the use of the en-suite.
- The host dwelling extends across half of the boundary to the East, this extension would result in the host dwelling extending across the entire boundary the host dwelling shares with #14 The Poplars.
- The proposal will result in the loss of a large tree, and hedging.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. With regard to proposing re-siting the extension, the planning department assesses proposals as they are submitted.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within 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
SDSP2	SD SP2 Built-up Area Boundary

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1a of the Ferring Neighbourhood Development Plan.

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 1A of the Ferring Neighbourhood Development Plan states that proposals within the Built Up Area Boundary will be supported, subject to accordance with other relevant development plan policies.

DESIGN AND VISUAL AMENITY

The proposed development is not visible within the street scene, as a result of the siting of the host dwelling being surrounded by adjacent dwellings on all sides. As such, the proposed development is not considered to result in any significant impact upon the character of the locality, as there will be no views of the proposal from the public realm.

When considered within the context of the application site, the proposed development will have an awkward relationship, be bulky and poorly integrated to the host dwelling. This is largely as a result of its siting and design creating an unbalanced, unsymmetrical Northern elevation. The existing Northern projection to the host dwelling, forming a porch and WC has a pitched roof, and only extends 2.3m from the front elevation of the dwelling. On comparison, the proposed development has a partial flat roof, with sloped sides, extending 6m from the front elevation of the host dwelling. Therefore, the proposed extension is considered to be in conflict with D DM4(a) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension is considered to result in a significantly harmful impact upon the residential amenities of neighbouring dwellings. It is considered that as a result of the scale, and proximity of the rear extension to the Eastern boundary of the application site, it will have an overbearing impact on the occupiers of the property directly to the East, #14 The Poplars.

The proposed extension is at a height of 3.3m, which is approximately 1.4m above the height of the

boundary treatment fencing between the application site and 14 The Poplars at a distance of only approximately 1.7m from the boundary line. At a length of 6m, this is considered to result in a significantly harmful overbearing impact upon the occupiers of 14 The Poplars particularly as it would span the full width of their private amenity land. With regard to loss of privacy through overlooking, all of the proposed openings are at ground floor level, and therefore, do not provide any views different to those available from the application site at current. The proposed development is considered to be in conflict with D DM1(3) and D D DM4(c) of the Arun Local Plan, due its detrimental impact on the occupiers of the dwelling to the East of the application site, by way of overbearing, and overshadowing.

SUMMARY

The proposed development is conflict with D DM1(3) and D DM4(c) of the Arun Local Plan, in that it results in a significantly harmful impact on the occupiers of the dwelling to the North, by way of overshadowing, and overbearing impact.

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

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 proposal, due to its height, length and siting, will have an unneighbourly overbearing effect on the occupiers of #14 The Poplars, Ferring, in conflict with D DM1(3) and D DM4(c) of the Arun Local Plan and Policy 1a of the Ferring Neighbourhood Development Plan.
- 2 The proposed extension, due to its scale, design and siting is considered to appear awkwardly integrated with the host dwelling, in conflict with D DM4(a) of the Arun Local Plan and Policy 1a of the Ferring Neighbourhood Development Plan.
- 3 **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 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.