

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

REF NO: FG/107/17/HH

LOCATION: 12 South Drive
Ferring

PROPOSAL: First floor extension to front part of the existing chalet bungalow to include raising the ridge height, front balcony & hip to gable rear roof extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks planning permission for the extension of the dwelling through the alteration of the first floor accommodation. This will see the eaves height of the dwelling increase by approximately 2m, with the ridge height increasing by 1m. The proposal includes the alteration of the existing hipped roof to the rear of the property and the creation of a gable end. The proposal includes the alteration of the existing primary elevation with the rounding off of the existing single storey projection and the addition of bi-fold doors and the addition of a first floor balcony to the primary elevation.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site consists of a low 0.4m high brick wall with railings atop the wall measuring approximately 0.5m in height. The side and rear boundaries of the site consist of close boarded fencing to a height of approximately 1.8m and mature planting.

SITE CHARACTERISTICS

The site is occupied by a detached chalet bungalow with a dormer window situated on the western elevation of the property. The dwelling features rendered elevations, a tiled roof and uPVC weatherboarding to the gables.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential and features properties of various design and styles. Within close proximity to the application site are bungalows, chalet bungalows and two storey dwellings as well as flats. The properties are constructed from

various materials and finishes.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None received.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built area boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: DEV19
GEN2
GEN7

Publication Version of the Local
Plan (October 2014):

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

The Ferring Neighbourhood Plan has been made but there are considered to be no policies relevant to the determination of this application.

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 conflict with policy DEV19(i) & (ii) of the Arun District Local Plan. However, it is considered that the proposal will 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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as the proposed development will give rise to no unacceptably adverse impacts upon the visual amenities of the locality or the residential amenity of neighbouring properties.

CONCLUSIONS

PRINCIPLE

The application site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed development by virtue of its size, scale and significant impact upon the appearance of the host dwelling is not considered to appear subservient or well integrated with the host dwelling in accordance with policy DEV19(i) and (ii) of the Arun District Local Plan.

The proposed first floor alterations are shown as featuring weatherboarding on the elevations at first floor level. This is considered in keeping with the existing character of the host dwelling given that the existing dwelling features uPVC weatherboarding on the gables on the primary elevation. However, a condition has been included with this recommendation report requiring submission of a schedule specifying the colour of the proposed cladding to ensure it is in keeping with the wider locality.

However, it is considered that the proposed first floor alterations will constitute an enhancement to the appearance of the dwellinghouse. The existing first floor dormer and various roof alterations are considered to have negatively impacted upon the appearance of the dwelling.

The proposal includes the addition of a balcony forward of the primary elevation and it is considered that this will not adversely impact upon the character of the locality in accordance with policy GEN7(ii) of the Arun District Local Plan

The proposed alterations to the dwelling are not considered to adversely impact upon the established spatial pattern or the character of the street scene. It is acknowledged that the existing dwelling and immediate neighbouring properties are bungalows - however, two storey development is prevalent on South Drive.

Therefore, it is considered that the proposed alterations would accord with policy GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed alterations to the dwelling will result in the increase in height of the eaves as well as the ridge of the existing dwelling. The dwelling at its closest point will be situated approximately

1.2m from the eastern boundary of the site and 2.5m from the western boundary.

The proposed development will see the eaves height of the existing dwelling increase by approximately 2m. However, it is considered that this increase in height will not result in unacceptably adverse harm to the residential amenity of neighbouring properties. Whilst, numbers 10 and 14 South Drive feature ground floor windows on the side elevations it is considered that the proposed development will not give rise to unacceptably adverse overbearing impacts upon these windows.

The proposal will extend approximately 9.5m to the rear of 10 South Drive and 3.7m to the rear of 14 South Drive to the west at two storeys in height. There is the potential for the proposed development to give rise to adverse overbearing impacts. However, it must be considered that the existing property is a chalet bungalow and is of a similar depth to that now proposed (albeit lower in height). Therefore, it is considered that the proposal will not result in unacceptably adverse overbearing or overshadowing impacts upon neighbouring properties which would justify refusal of the proposal. It must also be considered that planting is present along the eastern boundary of the site and will lessen the impact of the proposed development upon the residential amenity of 10 South Drive.

The proposal features roof lights on the eastern and western elevation of the dwelling which will be situated approximately 1.7m above floor level. It is considered that these roof lights - specifically those situated furthest to the north have the potential to give rise to unacceptably adverse overlooking of neighbouring properties to the east and west of the site. It is considered necessary to impose an obscured glazing condition upon these roof lights to avoid unacceptable harm to the residential amenity of neighbouring properties.

The proposed window at first floor level on the rear elevation is not considered to give rise to unacceptably adverse harm beyond that which could be expected between residential properties. The proposed balcony will be situated forward of the primary elevation and as such is not considered to result in overlooking of any private amenity space and as such will not result in unacceptably adverse overlooking.

Therefore, it is considered that subject to condition the proposed development will not give rise to unacceptably adverse overlooking, overbearing or overshadowing impacts upon neighbouring properties in accordance with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to conflict with policy DEV19(i) and (ii) of the Arun District Local Plan. However, it is considered that the proposed development will not have an unacceptably adverse impact upon the visual amenities or character of the locality, or the residential amenities of neighbouring properties.

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 for 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 no impacts have been identified upon any 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 plan:

- Proposed First Floor Extension - AR-110-04

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 external walls of the proposed development shall be clad in through coloured material, details and samples of the cladding and roof materials shall be submitted to and approved by the Local Planning Authority before development is commenced and the materials so approved shall be used in the construction of the development.

Reason: In the interests of amenity to achieve a reasonable visual quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan. It is considered that this condition must be a pre-commencement condition to ensure that the materials used in construction preserve the character of the locality.

- 4 The three northern most roof lights on the eastern and western elevations shall be obscurely glazed and fixed shut below 1.7m from the floor level of the room in which they are installed in perpetuity.

Reason: In the interests of amenity in accordance with policy GEN7 and DEV19 of the Arun District Local Plan.

- 5 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.