

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

REF NO: FG/10/15/HH

LOCATION: 9 Guernsey Road
Ferring

PROPOSAL: Alterations to existing south facing front dormer window, new west facing dormer in side elevation & 5 No. new velux roof lights to front & side elevations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The development proposed is:

1. The enlargement of 1 dormer with a flat roof and 1 velux type roof light in the front south facing roof slope of this dwelling.
2. The formation of 1 dormer with a flat roof and 2 velux type roof lights in the west side facing front roof slope of this dwelling.
3. The formation of 2 velux type roof lights in the east side facing front roof slope of this dwelling.

The works will facilitate the provision of 3 bedrooms, 1 en-suite bathroom and 1 shared bathroom in the roof space of the dwelling. At present there are 2 small rooms in the roof space, one of which is a store and the other is not annotated as to use.

Matching materials are proposed to be used.

There has been a recent previous application for a lawful development certificate for a proposed dormer window to rear elevation of this dwelling (see planning history). It was determined that planning permission was and is not required and the rear dormer was and is 'Permitted Development'. The rear dormer is shown on the submitted scheme in this application for completeness, but is not the subject of this application.

SITE AREA

0.6 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The area is a relatively low density one and has been developed with bungalows.

TOPOGRAPHY

Predominantly flat.

TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Side boundaries are a mixture of low dwarf brick walls to the front and wooden panel fencing of approximately 1.8m between dwellings.
SITE CHARACTERISTICS	At the present time, the subject bungalow has a small dormer with flat roof on the front south facing roof plane of the bungalow. There are no openings in the roof planes at present other than the existing dormer. There is an upper floor window in the front gable. There is an integral garage and driveway of approximately 13.6m which is capable of accommodating 2 or possibly 3 cars. The bungalow is constructed of an orange/red brick and small brown plain roof tiles. The gable of the adjoining bungalow to the west has 2 windows facing the site and these are not fully screened by the boundary fence and largely unobstructed.
CHARACTER OF LOCALITY	The general character of the area is low density residential.

RELEVANT SITE HISTORY

FG/11/15/CLP	Application for a lawful development certificate for a proposed dormer window to rear elevation.	PP Not Required 11-02-2015
FG/35/63	Bungalow and garage	ApproveConditionally 10-05-1963

None (see description of development).

REPRESENTATIONS

Representations received:

The adjoining neighbour to the west has objected and states:

The concern is the west side dormer window & two velux windows which look straight down into our lounge area, denying us our privacy. On viewing the plans there is an existing South facing window in the same room.

The neighbour to the rear has objected to the rear dormer on the grounds of privacy and amenity loss.

Comments on Representations received:

The adjoining neighbour to the west is referring to an existing front gable window that provides light to the existing roof space. It is considered that whilst impact on privacy would be limited, there will be some privacy loss and perception of privacy loss.

The rear dormer does not require planning permission and therefore the objection from the rear neighbour cannot be taken into account. This neighbour has been advised of the position.

CONSULTATIONS

Consultations responses received:

Ferring Parish Council has not commented.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area.

Adopted Local Plan.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

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

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plan:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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

statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Ferring has a Made Neighbourhood Development Plan. This means that Ferring Neighbourhood Development Plan has been brought into legal force and forms part of the statutory plan for Ferring. Consequently, decisions on whether or not to grant planning permission in this area will also need to be made in accordance with the Ferring Neighbourhood Development Plan, unless material considerations indicate otherwise.

In respect of extensions the NP has the following objective which is relevant:

6. Sustainable, well designed development and reduction in resource use.

The Plan has no policies of specific relevant to the 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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or on the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. This is subject to imposing a condition requiring obscure glazing for the glazing in the 1 dormer with a flat roof and 2 velux type roof lights in the west side facing front roof slope of this dwelling in order to ensure the protection of privacy of the adjoining occupier.

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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the roof alterations described in this report and will inevitably result in a change to the appearance of the dwelling. However, the new dormers are to

be very much secondary elements in the roof planes affected and not unsympathetic to the appearance of the dwelling. They are similar to an existing dormer at the dwelling and to another adjoining. The proposed velux type roof lights will have only very limited visual impact. Visually, the design is considered to be acceptable and sympathetic and would visually integrate with the dwelling and surrounds.

It is therefore considered that the proposed dormers and velux roof lights are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The enlargement of the existing front dormer is not considered to result in a loss of amenity, since it faces forward and represents only a limited increase in size and potential for overlooking.

The front west facing dormer and velux roof lights do potentially result in amenity loss due to potential overlooking and privacy loss issues. This however can be mitigated by imposing a condition requiring obscure glazing.

The proposed works are considered not to result in any significant harm, subject to the obscure glazing condition, such that planning permission ought to be reasonably withheld.

It is therefore recommended that the application be approved, subject to the following 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 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 development in accordance with the general interest and the recommendation for approval subject to an obscure glazing condition 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 (negative, Neutral or positive) 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).

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:

Drawing Number - Proposals 05 4, Ground Floor, dated Jan 2015.

Drawing Number - Proposals 06 A, First Floor, dated Jan 2015.

Drawing Number - Proposals 07, Proposed Elevations, dated Jan 2015.

Drawing Number - Proposals 08 A, Sections, dated Jan 2015.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the buildings 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 The windows in the front (west) elevation of the dormer to be formed in the in the west facing roof plane and the 2 velux type roof lights in that roof plane shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.