

REPORT UPDATE

Application No: FG/114/21/HH

Reason for the Update / Changes

Reason for Update/Changes:

Correspondence from agent setting out the merits of the proposal.

Officers Comment:

These have all been covered and assessed as per the officers report.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: FG/114/21/HH

LOCATION: 23 South Drive
Ferring
BN12 5QU

PROPOSAL: Extensions and internal and external remodelling of existing dwelling to create a 4no. bedroom dwelling with double garage including single storey rear extension, replacement and reformation of roof to create second floor accommodation with rear balcony, associated landscaping.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks extensive alterations to the property to form a 4no. bedroom dwelling with double garage including single storey rear extension, replacement and reformation of roof to create second floor accommodation with rear balcony, associated landscaping.

Further information was sought from the agent to demonstrate that this application was not a demolition of existing dwelling and replacement with a new one. The plans submitted show that sections of the existing dwelling will be retained and so the application can be considered to be a householder.

RELEVANT SITE HISTORY

FG/160/08/

Demolition of existing house and the erection of a

ApproveConditionally

replacement 4 bedroom dwelling with garaging and parking, re-use of existing access.

27-01-09

REPRESENTATIONS

Ferring Parish Council object to the application.

- It is out of character and fails to respect the style and character of the area.
- The design features are significant.
- Comparison with developments in Kingston is irrelevant.
- The property falls within an Area of Special Character and the design would undermine this.
- Second floor windows and balcony would impact the visual harmony.
- The development creates a high level viewing platform which will deprive properties of privacy.

4 letters of support.

- It does not increase in size and modernisation will enhance the street scene.
- It sits on a big plot and it does not increase the height.
- There is another cubed flat roof property on the road.
- Progress is a good thing.
- The general footprint is not changing and it will not impact the current housing line on South Drive.

10 letters of objection.

- The development represents a further erosion of seaside living.
- The third layer will overlook properties and be overbearing.
- If approved, it would change the overall street scene in a negative way.
- The change to the roof will produce a dominant structure that is out of character with the area.
- Changing the property will dwarf the neighbouring properties.
- It is not characteristic of Ferring Village style- mainly bungalow and chalets.
- It would increase noise and parking in the area.
- Wrong to destroy a building less than 12 years old.
- Wildlife will suffer.
- Overdevelopment of the site.

Ferring Conservation Group provided an objection.

- Overdevelopment of the site.
- Out of character with the immediate area and Ferring as a whole.
- There is one other 3 storey house although smaller than what is proposed.
- Examples contained in the Design and Access statement in Kingston are of no relevance to the character of Ferring.
- It does not comply with the National Planning Policy Framework (NPPF) as mentioned.
- Conserve the seafront as an Area of Special Character.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

DEVELOPMENT PLAN POLICIES

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan which require that development respects local character, neighbouring residential amenity and where extensions/remodelling proposed it is visually integrated with the existing dwelling. In addition, attention to the guidance contained in Arun's Design Guide (ADG) is required.

Ferring has a made Neighbourhood Plan with policy 1A of relevance to the application. This states an application within the built up area boundary will be supported provided it accords with relevant policies.

DESIGN AND VISUAL AMENITY

The proposal seeks extensive changes to the property. The existing dwelling features a two storey property with a pitched roof and a rear balcony and the proposal would predominantly result in a dwelling of a contemporary appearance of three storey with flat roofs.

The principal elevation of the dwelling is situated approximately 22m behind the front boundary. As a result, the dwelling would not appear unduly dominant being well set back from the street scene. Whilst an additional level will be constructed, the proposed dwelling would not be taller than the existing dwelling at a height approximately 8.8m which is comparable to others within the street scene.

In terms of the overall scale and massing, it will remain largely the same and broadly consistent with development in the locality. The proposed dwelling would not extend further north or sit any closer to the boundaries of the neighbouring properties to the east and west. There will however be a rear extension to the ground floor and balcony above and the addition of the third storey with an additional balcony.

Due to the significant change in appearance proposed, the proposed works are not visually subservient to the existing dwelling and in conflict with D DM4 (b). However, given the siting described above the development sits comfortably within the size of the plot, which is large and does not appear as an overdevelopment on site.

There have been concerns raised about the design of the dwelling and whether this is in character with the area. The design is contemporary in appearance featuring flat roofs and whilst the style of dwelling is not common, the design is not uncharacteristic of other development in the area with a similar example at No.11 and 7 which features a flat roof design. Whilst the design is less prevalent in the immediate locality, there is no uniform design in the area and does not appear as a stand alone alien feature.

In addition, the materials will consist of render and cedar cladding decorative panels to the external elevations, with grey window frames, frameless balustrades and with similar materials present within the locality, it will not adversely impact the street scene.

Arun recently adopted the Arun Design Guide with Section M relevant to householder extensions. 'It states 'Extensions of over 50% of existing floorspace are unlikely to be considered acceptable'. The proposal should also respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. The proposal complies with the Design Guide in that the extensions to the rear are less than 50%. The scale and massing is also appropriate due to the size of the plot.

The Ferring Neighbourhood Plan includes a statement referencing Areas of Character in the Parish which emerged during the preparation of the Plan. Although this is not expressed as a development plan policy in the plan it is a view of local community aspirations for the Parish. This specifically refers to an

Area of Character (AOC) which runs along Ferring Beach and Pattersons Walk and would include the site of the proposed dwelling. Nevertheless, this AOC is not designated and therefore the site is not located within an Area of Character.

A double garage is also proposed which is located around 4m at its narrowest point from the front boundary. The garage will extend along the eastern boundary. It will have a flat roof and a modest height at 2.45m. There are other garages within the locality which are located towards the front of the site and the siting is not considered out of character. It will utilise an existing access.

The proposal, whilst resulting in a property of contemporary design is not considered to be adversely out of character or have an unacceptable impact upon the street scene and wider area. It is therefore seen as in accordance with policy D DM1 of the Arun Local Plan and the Arun Design Guide. It is acknowledged however that the proposal conflicts with policy D DM4 (b) of the Arun Local Plan.

RESIDENTIAL AMENITY

Whilst the proposal seeks a significant change to the appearance of the dwelling, the development is not considered to result in adverse overbearing or overshadowing. The overall footprint, height and scale will remain largely the same as the existing property and the overall height and the separation between the side boundaries will be retained.

A rear ground floor extension will be constructed which runs along half of the rear wall of the dwelling. This will have a depth of 4m. As a result of the siting of the dwelling, located slightly further north than neighbouring dwellings, the addition does not result in adverse impacts.

The first floor above is currently staggered in depth, as such part of the first floor to the western side will be extended in depth by 2m to meet with the eastern elevation. The first floor will then open onto an extended balcony which is located above the proposed ground floor addition. It is noted a balcony is already in existence to this elevation, although it increases in size.

The 1st floor alteration and balcony is not considered to result in adverse overbearing or overlooking, with the neighbour to the west (25) situated further south. As such, their principle elevation runs in line with the rear of the host dwelling and therefore available views are of the side elevation of the property, the same as which is currently achievable. With the balcony reducing in depth slightly to the east by around 0.85m, the views will not increase from that which are already achieved. Balcony screening will be conditioned to be installed to both side elevations to a height of 1.7m to ensure there is no adverse overlooking, with glazing already in existence to one side.

The top floor balcony is set within the roof with a depth of 2.4m. Only limited views could be achieved from the proposed balcony towards 21 South Drive due to the positioning of the balcony and due to the proposed chimney which would further obstruct views. With No 25 located further south, views over the garden of the property are largely restricted. There would be no direct views into neighbouring windows and with the addition of screening to the side elevation views would be predominately to the rear of the host dwelling and beach.

Fenestration changes to the side elevations are not extensive restricted to some additional windows to the top floor. These are at a high level and will not result in additional overlooking.

The proposed garage due to its siting to the front boundary of the property and with a modest height will not result in unacceptable harm upon amenity.

With the addition of balcony screening, the proposal is not deemed to result in significant harm upon neighbouring amenity by way of overbearing, overlooking or overshadowing and accords with policies D

DM1 and D DM4 (c) of the Arun Local Plan.

SUMMARY

In taking the above into account the proposal will not result in unacceptable harm to the character and appearance of the locality or the amenities enjoyed by neighbouring residential occupiers. Permission is therefore recommended 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 respect 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 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.

CIL DETAILS

This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply).

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
 - Location and Block Plan - 203140/ 07
 - Garage Plans - 203140/ 08
 - Proposed Ground and First Floor Plan - 203140/ 04

- Proposed Second Floor and Roof Plan - 203140/ 05
- Proposed Elevations - 203140/ 06
- Section A-A Proposed - 203140/ 010
- Street Scene - 203140/ 09

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 Balcony screening shall be installed to the east and west elevations to both the first and second floor balcony and shall at all times be obscured glazed and to a height of 1.7m. The screening shall be installed prior to the first use of the balcony and be retained thereafter in perpetuity.

Reasons: In the interests of the amenity of the neighbouring dwelling in accordance with policies D DM1 of the Arun Local Plan.

- 4 Construction hours on site shall only be between 08:00 hours and 18:00 hours Monday to Friday, between 09:00 hours and 13:00 hours Saturday and at no time on Sundays, Bank or other Public Holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 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.