

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

REF NO: FG/116/18/HH

LOCATION: 2 Ocean Drive
Ferring
BN12 5QJ

PROPOSAL: Loft conversion

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to carry out a loft conversion. This will involve the alteration of the roof from a hip to a gable with the creation of 2 dormers at the north west and south east elevation. They will be constructed to a length of 10.5m, a height of 2.5m and a depth of 2.6m. Juliet balconies will also be constructed to the front and rear of the dwelling.

RELEVANT SITE HISTORY

FG/6/94	Extension at rear	ApproveConditionally 04-03-94
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FG/65/91	Extension at front of garage and internal alterations to provide 3rd bedroom	ApproveConditionally 19-08-91
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Ferring Parish council have not commented.

7 letters of representation by 4 people:

- Detrimental and of an unneighbourly, overbearing and oppressive scale.
- Ignores the characteristics of the existing property.
- Overlooking windows on both sides and greatly reduces light and privacy.
- Not in keeping with the area.
- Increase in size will lead to more vehicles.
- Overshadows neighbouring bungalows.
- It will visually impact the street scene.
- Increases the height to 1 and a half storey.
- Will create a tunnelling effect on neighbour due to proximity to boundaries.
- Proposed balcony will overlook into No. 4 Ocean Drive.

All the above issues are material planning considerations that are addressed in the Conclusions section of this report.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

DEVELOPMENT PLAN POLICES

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies - policy SD SP2 of the Arun Local Plan. The key policies to be considered are DDM1 and DDM4 of the Arun Local Plan and 1A of the Ferring Neighbourhood Plan.

Policy 1A of the FNP state proposals within the built up area boundary will be supported provided they accord with other relevant development plan policies.

Policy DDM1 relates to aspects of form and design quality such as character, appearance and impact.

Policy DDM4 relates to extensions and alterations to existing buildings, which requires extensions to be sympathetic and visually integrated with the existing building in terms of siting, massing, design, form, scale and materials. It also requires that the impact of development on neighbouring residents by way of their residential amenity is acceptable.

DESIGN AND VISUAL AMENITY

The proposed alterations to the roof would have a significant impact upon the appearance and character of the application dwelling.

The alteration of the roof from hip to gable and proposed dormers will add significant bulk and mass to the roof of the dwelling, resulting in a one and a half storey property. The development is therefore not

considered subservient to the host dwelling and therefore in conflict with DDM4 (a) and (b) of the Arun Local Plan.

Whilst properties within the locality are of a varied style and design, none are of the scale proposed by this development and as such it is out of character with the surrounding properties. The proposed dormers would be prominent within the street scene and at such a location the change in building appearance will have an unacceptable and detrimental impact on the established character of the wider area. The neighbouring bungalow, 4 Ocean Drive is designed as a twin pair with the application dwelling. As a result the mass and scale of the proposal will exacerbate the impact on the street scene by unbalancing the appearance of the properties.

The proposed development is not subservient or sympathetic to the host dwelling and the resultant change in appearance to the host dwelling is unacceptably harmful to the design and visual amenity of the area and in conflict with DDM1 (1) and (2) and DDM4 (a) and (b) of the Arun Local Plan and policy 1A of the Ferring Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed loft conversion proposes dormers to both the north west and south east elevation. The dormers are significant in size extending a large proportion of the roof of the dwelling amounting to 10.5m in length, along both roof slopes with a height of 2.5m and 2.6 in depth.

Due to their prominent size and siting, views of the dormers are readily visible from neighbouring properties 1 Ocean Parade and 4 Ocean Drive. Whilst 1 Ocean Parade, a block of flats, has a larger footprint than the application dwelling, due to its close proximity to the flats the dormer to the north west would be highly visible from principle windows to both the side and rear of No.1 and therefore appear unduly dominant and give rise to an overbearing impact.

There will be 3 additional windows installed to the north west dormer. However due to the size, location and use as landing and bathroom windows, views will be minimal and therefore it is unlikely to give rise to an unacceptable loss of privacy. In addition, if the application was recommended to be approved these windows could be conditioned to be obscurely glazed and fixed shut below 1.7 metres from floor level.

The roof will alter from a hip to a gable roof to allow for the creation of a Juliet balcony to the front and rear of the dwelling. The Juliet balcony to the rear of the dwelling is unlikely to rise to any overlooking due to the dwelling being slightly set back from the neighbour to the south west.

The Juliet balcony to the front of the development however will have views into a principle room of 1 Ocean Parade leading to a direct loss of privacy. However, this could be overcome by conditioning any approval so as to provide an obscurely glazed screen to the sides of the balcony.

There will also be loss of light to the windows located at 4 Ocean Drive due to the position of the dormer and the small boundary separation of 0.8m.

The application is therefore in conflict with DDM1 (3) and DDM4 (c) of the Arun Local Plan due to the significant size and siting of the dormers giving rise to a loss of privacy and a significant overbearing and unduly dominant impact upon 1 Ocean Parade and 4 Ocean Drive.

SUMMARY

The proposed development is deemed to be in conflict with relevant development plan policies and as such is recommended for refusal for the following reasons.

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

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 proposed alterations to the roof by reason of their unsympathetic design, significant scale and prominent location are considered to appear unduly dominant and have an unacceptable impact upon the character and appearance of the host dwelling and of the area generally in conflict with policies DDM1 and DDM4 of the Arun Local Plan and policy 1A of the Ferring Neighbourhood Plan.
- 2 Having regard to the limited area of the site and its relationship to existing residential properties the proposal would give rise to an unneighbourly form of development which would be prejudicial to the amenities of residents in 1 Ocean Parade and 4 Ocean Drive in conflict with policy DDM4 of the Arun Local Plan and policy 1A of the Ferring Neighbourhood 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 reasons 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.