

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

REF NO: FG/127/19/HH

LOCATION: 11 Ferring Marine
Ferring
BN12 5PP

PROPOSAL: Loft conversion & reconfiguration of South elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Conversion of loft space to habitable use, alterations to the existing southern elevation to create one unified frontage that allows for views over the sea. Green roof to the current extension and balcony to create symmetry to the property.

RELEVANT SITE HISTORY

PAA/118/19/	Loft conversion to create a conservatory style addition, additional bedroom at loft level and reconfiguring existing fenestration to the south elevation.	Approve Pre App 11-10-19
FG/90/19/PDH	Notification under extended permitted development rights for a single storey rear extension with flat roof measuring 6m from beyond the rear wall of the original dwelling house, with maximum height of 3.1m and eaves height of 3m.	Prior Approv not req 13-09-19
FG/124/08/	Two storey extension to west wall of property, demolish existing flat roof extension.	ApproveConditionally 28-10-08
FG/65/04/	Iron balustrade to be fixed on top of a flat roof of bedroom and a steel staircase leading up to it	Refused 25-06-04

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council:

One letter of no objection to the application but wished to raise the following concerns:

- The use of the Green Roof and the potential overlooking into their private amenity space and invasion of privacy that could occur.
- Raising concerns about the design with a feeling that there would be a diminishing effect on the character of the area.

RESPONSES TO REPRESENTATIONS RECEIVED

- The first concern raised has been covered through the use of a condition limiting the use of the Green Roof and a barrier being added to ensure access is not readily available.
- Whilst the design does add bulk to the bungalow it is not considered to be of a detrimental level to the application and as such not a reason for refusal.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the 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 key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1A of the Ferring Neighbourhood 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

Due to its location, the proposed loft conversion and works to the Southern elevation are visible from the street scene due to the raise in the roof height. However, it does not give rise to any unacceptable adverse impact on the character of the locality or the established pattern of the area. As well as this the works can be seen from the street scene the proposal backs onto the beach where there will be some minor views available but due to screening it is not considered to have an adverse impact on the character of the area.

Within the locality of the proposed development there is a wide range of design to the properties. subsequent to this the proposal is not considered to harm the character of the area. Multiple properties within Ferring Marine have lots of glass on the rear elevation as the proposed does this is due to the location and is not considered to impact on overlooking due to the location with the sea to the rear of the properties. The maximum height of the proposed development matches that of the existing ridge height of the host dwelling. Therefore, the proposed development is not considered to appear subservient, despite this the development is not deemed to harm its established character.

The application is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan, and the relevant policies within the Ferring Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed works are not considered to result in any significant impact upon the residential amenities of neighbouring dwellings. It is noted that as a result of the height and proximity of the proposed rear extension will cause overshadowing to the garden to the East, however, it is not significant enough to justify refusal of the application as property has similar works completed. There has been no objection from the nearby occupiers which is noted. Whilst the proposal seeks to increase the number of windows drastically on the first floor through the conversion it is not considered to cause any significant overlooking due to the location.

The potential for overlooking on from the green roof has been overcome by way of condition. This condition restricts use of the roof space so it cannot be used as a balcony or a roof garden without first seeking permission from the Local Planning Authority.

The proposed development is not considered to result in any significantly harmful impact upon occupiers of neighbouring dwellings, and is therefore in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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.

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:
 - OS Map and Block Plan
 - Proposed Ground and First Floor Plan
 - Proposed Elevations and Main Section P5 Rev C
 - Proposed Roof Plan
 - Application form detailing materials
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 The east and western elevations of the balcony at first floor level, shall at all times be obscured to a height of 1.8m with fixed obscured glass and said screening shall be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.
- 4 The green roof area (shown on plan P3 Rev C) of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy D DM1 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.