

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

REF NO: FG/128/21/HH

LOCATION: 23 Little Paddocks
Ferring
BN12 5SN

PROPOSAL: Rear first floor extension & front balcony/inset dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks the creation of additional first floor accommodation with the addition of a front dormer window with inset balcony and rear full width first floor extension above an existing rear extension.

RELEVANT SITE HISTORY

FG/88/08/	Loft conversion and single storey extension	ApproveConditionally 28-07-08
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REPRESENTATIONS

None.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

BUAB

TPOs

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)

[Ferring Neighbourhood Plan 2014 Policy 1A](#) A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE:**CONCLUSIONS****PRINCIPLE**

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, roof extensions should not be visually intrusive or block light into surrounding properties and dormers should be positioned in discreet locations, on the rear of the property wherever possible. In general roof extensions should not detract from the character and appearance of the building and local area.

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

The proposal seeks to provide two extensions to the previously converted roof space, one dormer extension to the front (south) measuring 3.5m wide, and the other significantly larger first-floor extension to the rear (north), measuring approximately 10m in width and almost 4m deep, which is proposed over an existing single storey extension. The rear first-floor extension has the effect of creating a further storey to the house rather than solely being a rear dormer loft conversion. No changes to the ground floor are proposed.

The proposal increases the area of the first floor by over 60 square meters which is roughly a 200% increase on the amount of first floor accommodation. Whilst an extension above an existing structure is an effective use of the land it needs to be respectful to the host dwelling and spatial character of the area.

The extensions will utilise materials which are currently found on the existing building.

From the street, the front dormer appears to be suitably scaled and does not appear overly dominant on the host dwelling and it is considered not to detract from the overall setting.

The rear extension will replace a smaller dormer which currently sits within the existing roof space of the dwelling. To accommodate the first-floor extension, it is proposed to undertake a hip to gable conversion, on both the eastern and western elevations. The extension will spring off the exterior wall of an existing single storey flat roof extension which has the effect of creating a full two storey elevation, with a false pitched roof. Consequently, all the existing southern plane of the roof will be lost. As the design qualities and character of the chalet bungalow are completely lost at the rear, it is considered that the scale, form

and design of the proposed first-floor extension is visually dominant on properties to the rear by visually creating a two storey property, and does not integrate well with the host dwelling in conflict with policy D DM4 of the Arun Local Plan.

It is claimed that the applicant could provide an additional storey as a fall back, under the new Permitted Development Class AA. However, it is considered that a new storey under this class would provide a significantly smaller extension, if it was allowable at all.

It is considered that the bungalow has previously had an additional storey added, as such it could not be converted again under Class AA and the extension could only be formed over the 'principle part' of the dwelling house; this is defined as "the main part of the dwellinghouse excluding any front, side or rear extension of a lower height". As such an extension of this depth would not be possible. Therefore, there is no significant fall back of Permitted Development allowance afforded to the property in terms of additional storeys, and any such fall back in terms of dormer roof extensions would only be allowable within the footprint of the original building and would therefore retain the features of a chalet bungalow i.e portions of the southern roof plane and eaves line, giving a visually subservient extension.

Having regard to the design and visual amenity, the proposal is deemed to conflict with DDM1 and DDM4(a) (b) of the Arun Local Plan and the Part M Arun Design Guide as the creation of a fully two-storey property will be unduly dominant and visually unintegrated with the host dwelling to the rear.

RESIDENTIAL AMENITY

It is considered that the first-floor extension will not overbear or overshadow neighbouring properties. There is currently an acceptable distance between the dwelling and its boundaries shared with neighbours, a minimum of approximately 2m on either side. As the works will be located within the existing footprint then no encroachment of development across the site will occur.

Due to the angle of the buildings the 45-degree rule is not applicable in this instance.

In terms of overlooking the proposed fenestration will either face towards the front or rear private amenity space of the dwelling. The balcony is considered acceptable because of its partial screening and because it only achieves views over the public realm. To the rear the number of habitable windows will be increasing, and their positioning will be moving further forward towards the edge of the building line. However, due to the slight offset in angles between the facing elevations with the application site and No. 45 Sea Lane Gardens, and an approximate distance of 25m between facing windows it is considered that this relationship will be acceptable and it will not negatively impact overlooking of the properties to the rear.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan, Policy 1A of the Ferring Neighbourhood Plan and Part M of the Arun Design Guide.

CONCLUSION

For the reasons cited above the design of the extensions are unacceptable and in conflict with policies D SP1, D DM1, D DM4 of the Arun Local Plan and Policy 1A of the Ferring Neighbourhood Plan. Permission should therefore be refused for the following reason.

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.

CIL DETAILS

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

RECOMMENDATION

REFUSE

- 1 By reason of its bulk and siting the works proposed will significantly alter the appearance of the host dwelling and have an unacceptable harmful impact upon the character of 23 Little Paddocks when viewed from properties adjoining the rear boundary in Sea Lane Gardens, which is in conflict with Policies D DM1, D DM4 of the Arun Local Plan, Policy 1A of the Ferring Parish Neighbourhood Plan and Section M of the Arun Design Guide.
- 2 **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 reason(s) 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.