

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

REF NO: FG/130/17/HH

LOCATION: 35 Meadow Way
Ferring

PROPOSAL: Single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposed side extension measures approximately 3.7m wide at the front tapering to the rear elevation, 7.4m deep and 3.4m high max to dummy pitch with 2.6m high flat roof section.

Materials would match the existing property.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary has a low brick wall approximately 0.5m high partially with a hedge behind approximately 2m high. To the side is 1.8-2m high timber fence.

SITE CHARACTERISTICS

Semi detached property constructed of brick beneath a tile roof, there is a first floor extension over the garage which has tile hang on the walls.

CHARACTER OF LOCALITY

Residential comprising properties of a similar scale and design albeit some have been extended.

RELEVANT SITE HISTORY

FG/131/07/	First floor extension over garage. Convert garage to habitable room.	ApproveConditionally 04-10-2007
FG/115/79	Proposed garage and porch	ApproveConditionally

FG/74/84

Proposed Eden conservatory

15-08-1979

ApproveConditionally

18-07-1984

Planning permission has been granted for a first floor side extension and conversion of the garage on 4 October 2007. The application is relevant in considering the cumulative effect of the proposal and other extension on the original property.

REPRESENTATIONS

Representations received:

Ferring Parish Council no response received to date.

No response to public consultation

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICIES

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

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

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

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)
D SP1 Design
SD SP2 Built-Up Area Boundary
A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Ferring Neighbourhood Plan 2014 Policy 1A is relevant to this application and has been taken into account.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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

The application site is situated within the built up area boundary where the principle of development is acceptable subject to compliance with relevant development plan policy.

The original property has been extended at first floor level previously, permission granted in October 2007, it is noted that the approved garage conversion has not taken place to date. The proposed extension when considered in isolation is not of excessive size and would therefore be subordinate and in sympathy with the host property.

The application property is located on a relatively unique triangular plot. This provided a small area of open space between the side of the property and the rear of properties on Rife Way. This space makes a distinctive contribution to the character of the area. However, the proposed extension would be approximately 2.3m from the side boundary at the front elevation and be in line with development on the neighbouring property. Although the proposal will result in a building which fills almost the whole width of the plot this is not dissimilar to the adjacent semi detached property albeit this has a narrower plot frontage. The proposed extension would be obscured to a degree by the existing house when viewed from the north and the fence when viewed from south

It is noted that the proposed extension would be in matching materials. Therefore, on balance the proposed development is considered to be comply to policy DEV19 and GEN7 of the adopted Arun Local Plan 2003 and policy 1 of the Littlehampton Town Council Development Plan and would not be unduly harmful to the character and appearance of the host property and the wider area.

Due to its siting the proposed development will have negligible impact upon the amenity of occupiers of No.33 Meadow Way. Likewise to the south it abuts the rear garden of 74 Rife Way, which appears to have a single storey addition almost the full length of the garden. However, given the height and design of the development and boundary treatment it is not considered that the proposed development will be harmful to the amenity of the adjoining occupiers. With regard to 76 Rife Way there is a single storey garage between the development and this property so again it is not considered that the proposed development is harmful.

Therefore, in conclusion it is considered that the proposed development would comply with adopted planning policies in the Arun Local Plan 2003 and the Ferring Neighbourhood Plan. As such it is recommended for approval subject to the following conditions

HUMAN RIGHTS ACT

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 drawing 1 existing and proposed floor plans and elevations & drawing 2 location and block plan.

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

- 3 The materials and finishes of the external walls and roof of the building 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 **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.