

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

REF NO: FG/133/15/HH

LOCATION: 27 Highdown Way
Ferring

PROPOSAL: Rear & side extensions to modernise & enlarge bungalow. Existing garage demolished.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	aprox 815 sq.m.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low brick wall, low hedging and driveway to the front. 1.8 metre close boarded fence and detached garage at front building line which encloses the rear garden. A landscaping belt including the banks of the rife enclose the rear garden at least 2 metre thick at height of 3/4 metres including sporadic trees.
SITE CHARACTERISTICS	A detached modern bungalow located in a 90 degree bend in the Ferring Rife to the north side and rear to the west. The property fronts onto a residential street of similar bungalows. The front garden and drive is 10 metre in length with a 20 metre front garden.

RELEVANT SITE HISTORY

FG/125/11 - Ground and first floor extensions with a similar floor area to that proposed but with a much larger roof and first floor element across the whole existing building and extensions - Refused

FG/80/13/ - Substantially identical proposal to FG/125/11/ - Ground and first floor extensions with a similar floor area to that proposed but with a much larger roof and first floor element across the whole existing building and extensions - Refused

The two applications above were refused on grounds of design and adverse impact on visual amenity as the extensions were not considered to relate sympathetically or subserviently to the existing dwelling.

REPRESENTATIONS

Representations received:

Ferring Parish Council

No objection

Comments on Representations received:

Noted

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/a

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
 GEN7
 DEV19

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

Publication Version of the Local
Plan (October 2014):

D SP1 Design
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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

Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

No policies in the Ferring Neighbourhood Plan relate to the proposed development.

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 property concerned is a bungalow which is located on a substantial plot of land in a corner bend of the Ferring Rife. In effect this means it has two secluded garden areas to the the northern side elevation of the dwelling and the western rear elevation of the property. These elevations face toward the rife which is an 8 metre wide semi permanent river with heavily landscaped banks made up of high hedges and mature trees.

The proposal has three elements

1)Side extension (west)- On the western side elevation of the dwelling facing the Ferring Rife the proposal is to demolish the existing detached garage on the side boundary and add a single storey attached garage, bedroom and extended living room projecting 4.1 metres with a width of 11.77 metres along the whole side of the existing dwelling. A key element of note is that the proposal would have a front projection of 1.6 metres in front of the current building line of the dwelling. The height of the eaves would match the existing dwelling with a hip roof separate to the main pitched roof of the dwelling with a ridge height of 3.6 metres (the main roof ridge is 6.5 metres in height).

The proposed side extension would leave a separation distance of 4.5 metres from the proposed side of the extension to the boundary.

2)Side extension (east)- On the eastern side facing the side elevation of the neighbouring property the proposal is to demolish the current side extension and replace it with a side extension projecting out 60 cm further, 2.2 metres wide, the same width and the same eaves level as the current extension however it proposed to add a hip roof with a height of 3.8 metres matching the height of the side extension proposed on the other side of the property. A 50 cm gap would be left between the proposed side extension wall and boundary formed by a blank walled single storey extension on the neighbours property.

The side extension proposed is subservient to the main dwelling house being set back 3 metres from the front elevation. No windows are proposed in the side elevation.

3) A single storey rear extension projecting 5 metres from the current rear elevation of the property leaving a rear garden of approx. 15 metres with a further 8 metre wide landscape strip beyond created by the rife to the rear of the garden. The rear extension would not have any windows in either side extension walls. A chimney of 4.5 metres in height and a hearth would be added to the northern side elevation of the rear extension.

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable in accordance with policy GEN2 of the Arun District Local Plan subject to accordance with planning policies in the Development Plan relating to design, visual amenities and residential amenity.

SITE HISTORY

Two planning applications for rear and side extensions with a similar footprint to the extension proposed in this application were refused in 2011 and 2013. The key difference between those application and this application is that they sought to add a large increase in the volume and bulk of the roof covering the main building and proposed extensions which were out of scale with the original and neighbouring dwelling houses. In the current application no alteration to the main dwelling house roof is proposed nor is there any first floor element to the scheme. The two side extensions and rear extension would have separate roofs adjoining the existing main dwelling house roof albeit hip roofs rather than a pitch roof like the main dwelling roof

DESIGN AND VISUAL AMENITY

Policies GEN 7 and DEV 19 relate to the design of new development and extension to residential properties respectively.

Policies D DM1 and D DM4 in the Emerging Arun District Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

The proposed front, side and rear extensions are to be constructed of materials matching the

current dwellinghouse including rendered block work bricks roof tiles and UPVC windows.

The front elevation of the property would be rationalised by removing the separate garage and including it as an attached garage. The proposed attached garage would project in front of the front elevation by 1.6 metres and have a different roof shape appearing separate to the main roof. The front of the garage will be set back 10 metres from the front boundary of the property which currently has a 1 metre high brick wall and landscaped hedging. In addition the front of the proposed garage while projecting marginally forward of the existing dwellinghouse, would not project forward of the building line of neighbouring properties at 1 - 23 odd nos on the west side of Highdown Way.

The appearance of the front of the property is not therefore considered to adversely affect the street scene nor are the visual amenities of the neighbouring properties adversely affected by the proposal due to the set back of the property from the front boundary and the general building line on the west side of the road and it is now considered that the proposal is subservient to the main dwellinghouse. The proposed 3 extensions are considered to accord to the policies set out above.

RESIDENTIAL AMENITY

The proposal would not effect the residential amenity of any neighbouring properties in terms of privacy, overbearing impact or loss of daylight and sunlight. The extensions would not be visible from any immediate neighbours windows and there are no primary habitable room windows in the southern side extension nor the south facing side wall of the proposed rear extension to the east abutting 25 Highdown Way.

The height of the extension is not significantly larger than that of the existing side extension and most importantly the side elevation of the only affected neighbouring property, 25 Highdown Way to the south have a blank gable end wall at ground floor level formed by a side garage extension which extends 6 metres beyond the rear elevation of the applicants dwelling blocking out any possible effect of the proposal on habitable room windows. In addition there are permitted development rights allowing either neighbour to erect a 2 metre fence which would negate any possible harm relating to residential amenity.

As such it is not considered that a significant harm would result from the 3 proposed single storey extensions to the north and south sides and to the west at the rear and they are considered to accord with the residential amenity aspects of policies GEN7 and DEV 19 of the Arun District Plan and policies DDM 1 and DDM4 of the Emerging Arin District Local Plan with respect to residential amenity.

CONCLUSION

In conclusion the proposed rear and side extensions are considered to accord with policies GEN 7 and DEV 19 of the Arun District Local Plan and and policies D DM1 and DDM 4 of the Emerging District Local Plan and approval is recommend 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 for 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 a neutral impact has 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).

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 Dwg.no. 7815 dated August 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 and DEV 19 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.