

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

REF NO: FG/135/13/

LOCATION: 16 South Drive
Ferring

PROPOSAL: Modernise front entrance with in-fill extension. Rear extension of 1.5 m depth with part glazed and part mono pitched roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed works to the front of the dwelling involve an in-fill extension being made between the exterior walls of the sun room and bedroom A1 and below the existing first floor balcony. The existing steps to the front of the building will also be widened to run along the length of the sun room. The fenestrations to the front of the sun room and it ground floor level in the western elevation will be altered. A single-storey ground floor extension measuring 7.373 metres in width by 1.5 metres in depth and approximately 3.9 metres in height will be added to the rear elevation of the building.
SITE AREA	Approximately 570 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low fencing along frontage with additional hedging planted immediately behind it. Western boundary marked by a mixture of approximately 1 metre high render walling and 1.8 metre high timber fencing. The fencing continues along the rear and part of the eastern boundary which is also bordered by a flank elevation wall belonging to a garage at the neighbouring property, No. 14 South Drive. The fence height then steps down to approximately 1 metre where it projects to the front of the building.
SITE CHARACTERISTICS	The site is occupied by 2½ storey building which houses two separate residential flats, one at ground floor level and the other distributed among upper floors. The building has red brick elevation walls with sections of tile hanging in places. There is a glazed flat roof sun room attached to the front elevation with a first floor level balcony above it. To the rear is an external staircase providing access to the upper floor flat. There is also a small single-storey extension to the rear.
CHARACTER OF LOCALITY	The site is located on a residential road that is lined by

residential buildings of various designs and scales. The majority of these buildings house single-dwelling but there are occasional buildings accommodating flats. Buildings are generally set slightly back from the road.

RELEVANT SITE HISTORY

FG/186/07/	Roof alteration to form inset balcony	ApproveConditionally 07-01-2008
------------	---------------------------------------	------------------------------------

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
------	------------------------------------

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following

publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 proposed extension to the front of the dwelling will be visible within the street scene. However, given its that it consists of an in-fill only, it will not be prominent. In any case, there are other buildings nearby that have been extended to the front and it is not considered that the proposed extension would appear out of keeping or have an unacceptable adverse impact upon the character and appearance of the surrounding area. The rear extension is modestly sized and will have a negligible visual impact.

It is considered that the extensions will relate sympathetically towards the existing building in terms of design and scale. The modest size of each feature will ensure visual subservience towards the host building is maintained. The in-fill extension will appear as a natural continuation of the existing flat roof sun room to the front of the building. The pitched roof design of the rear extension will compliment the pitched roof over the main building.

Given the modest scale of the proposed extensions and their positioning away from site boundaries it is not considered that they will appear overbearing towards neighbouring properties or bring about undue levels of overshadowing towards them. Views from windows within the front extension will be directed towards the road. All new windows on the rear extension will be at ground floor level and any views towards neighbouring residential property will be interrupted by existing site boundary treatment. As such, it is not considered that there is the potential of any intrusive overlooking towards neighbouring residential property.

It is therefore recommended that the application is approved, 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 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 it has been determined that its approval would result in a neutral impact 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).

As such, there is no requirement for mitigation measures to be implemented.

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:-

13014/01R1;
13014/02R4;

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

- 3 The materials and finishes of the external walls and roofs of the extensions 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 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.