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

REF NO: **FG/136/17/HH**

LOCATION: 3 Ferring Close
Ferring

PROPOSAL: Single storey front extension & first floor side dormer extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The proposed single storey front extension measures approximately m wide, 1.5m deep and 3.4m high (max). There is also a proposed open porch to the front of the extension. The proposed side extension measures approximately 1.4m wide, 7.2m long and 3.4m high. The proposed dormer extension measures approximately 2.2m deep, 2.1m high and 4.7m wide. Materials would match the existing property. Following submission the plans were amended to reduce the depth of the front extension.
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 has a timber fence approximately 1.8m high. To the rear there is a 1.5 m high timber fence to the side in addition there is mature planting along the boundary.
SITE CHARACTERISTICS	Detached chalet bungalow style property constructed of render beneath a tile roof. The property has a rear conservatory and also a side dormer window extension. The property is set on a fairly spacious plot.

CHARACTER OF LOCALITY	Residential comprising properties of varying style and size.

RELEVANT SITE HISTORY

FG/163/06/	Single storey rear extension to enlarge living room and two storey side extension to enlarge kitchen, form utility room with bedroom and en-suite over.	ApproveConditionally 09-02-2007

No relevant planning history

REPRESENTATIONS

Representations received:

Ferring Parish Council not 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	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		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
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

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. 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).

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 an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed front extension would wrap around the front and side of the house. The proposed extension retains a large part of the front garden garden area and would be approximately 14 m from the front boundary and 1.6m form the side boundary with No.2. The extension would be seen from the road. Given the depth and height the single storey front and side extension it is considered to be subservient to the main property. An open porch is proposed at the front door again this is in keeping and scale with the main house.

Given the variation in properties in the locality including two storey properties this change is not considered harmful to the character of the property or the area. The proposed development includes an extension to the existing side dormer which appear in a symmetrical position well within the roof slope and appear as subservient additions. This does not appear unduly dominant on the side roof slope.

Materials of all extensions are considered acceptable.

Therefore, the proposed extensions and alterations are not considered to be harmful to the character and appearance of the host property or the wider area.

There are windows proposed in the ground floor side elevations of the proposed extension facing No.2 however, due to the existing boundary treatment it is not considered that the proposed extension is harmful to the privacy or outlook of the occupiers of the adjoining properties. There are two windows in the proposed side dormer extension. These look towards the neighbouring property. One window is over the stairs and the other is high level. However, it is considered that a condition restricting future windows at first floor level is appropriate and also given their relationship to the dormer window in No,2 a condition requiring obscure glazing would be appropriate. The proposed extensions are not considered unduly dominant on the adjoining properties and will not lead to a loss of outlook or sense of enclosure. Due to the position of the proposed extensions it is not considered that there will be a harmful impact on No.4.

There are no parking implications arising from the proposed development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the visual or residential amenity. The proposed development complies with adopted planning policy in the Arun Local Plan 2003 and the Ferring

Neighbourhood Plan. As such the proposed development is therefore 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 plan JW/17/062.

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 roofs of the extension 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 The windows in the approved side dormer window extension on the south elevation of the building shall at all times/be glazed with obscured glass/fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

5 No windows (other than those shown on the plans hereby approved) shall be constructed in the south elevation of the extensions hereby permitted which adjoins the side boundary with No.2 Ferring Close without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

6 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.