

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

REF NO: FG/13/18/HH

LOCATION: 21 Brook Lane
Ferring
BN12 5JE

PROPOSAL: Single storey side extension & single storey rear extensions.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	There are two rear extensions
	The proposed rear extension on the west side measures approximately 2.5m wide, 1.8m deep and 3.3m high (max).
	The proposed rear extension on the east is also partly to the side of the property and measures approximately 2.9m wide, 6.1m deep and 2.7m high with a flat roof and lantern roof light. The proposed extension extends approximately 3.1m beyond the rear elevation of the main house.
	The proposed side extension would measure approximately 1.9m wide, 11.5m long and 2.5m high (max) and extends 1.8m beyond the rear elevation of the house in line with the proposed rear extension. This provides a covered access.
	Materials would match the existing property.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the rear there is timber fencing approximately 2m high and some mature planting.
SITE CHARACTERISTICS	Detached 1 1/2 storey dwelling, rendered elevations and hip to gable red tiled roof. Roof conversion, 2No. pitch roof dormers to side elevation, 'Juliet' style balcony to rear.
CHARACTER OF LOCALITY	Residential, cul-de-sac. Mix of 1 and 2 storey properties surrounding. New build to east.

RELEVANT SITE HISTORY

FG/63/12/ Conversion of existing double garage into games room & ApproveConditionally

construction of new single garage. Alteration of 2 no. existing dormers to single dormer to create first floor study

06-07-12

FG/19/02/

Extensions, double garage, internal alterations and rooms in roof

ApproveConditionally
09-04-02

The previous planning applications are not directly relevant to the consideration of the current application.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council no response to date.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICES

[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 & Alterations to Existing Buildings
- D SP1 Design

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 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. A consultation into the proposed modifications ended in mid February 2018.

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.

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).

The relevant policy of the Ferring NP 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 falls within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are deemed to be GEN7 and DEV19 of the Arun District Local Plan; the Ferring Neighbourhood Plan; and the National Planning Policy Framework.

The proposed rear extension on the west side would infill a small set back in the existing property and as such is a small addition. The extension would line up with the proposed side extension, to provide a covered access which would be built up to the side boundary with No.23. The extensions would be visible from the road but would not be visually dominant. The extension on the east side of the property is partly to the side of the property but extends approximately 3.1m beyond the rear elevation of the main house. It would be sited between 1.5m and 1.7m from the side boundary with No.21A. This extension would not be visible from the road.

It is noted that the neighbouring property benefits from a large extension. The proposed extensions would appear subservient to the main house and also retain a large garden area with a minimum 11.5m depth. Materials would match the existing property.

Therefore, the proposal is considered to be well integrated with the host dwelling and will not appear as an unduly dominant addition on the property and as such would not be harmful to the wider character of the area.

The proposed side extension is not considered to have an adverse impact upon the amenity of No.23 due to its low height and there are no side windows proposed. Likewise given the siting of the small rear extension on the west side behind the proposed covered access this will have no adverse impact on the amenity of the occupiers of No.23.

The proposed extension on the east side would be sited a minimum 1.5m from the side boundary. Given the height and design of the extension and the boundary treatment it is not considered that the proposed extension would lead to a loss of privacy or be unduly dominant on the occupiers of No.21A or 15 Barbary Lane.

Therefore, as a whole, the proposed development is not considered to be harmful to the amenity of the adjoining occupiers.

The proposed development is considered to comply with relevant Development Plan Policy and the

Ferring Neighbourhood Plan and as such 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 2566-01.

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 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 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.