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

REF NO: **FG/142/16/HH**

LOCATION: 27 Highdown Way
Ferring

PROPOSAL: Loft conversion with dormers to North, East & West roof elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to add a substantial T shaped half hipped roof at first floor level measuring 14.5 metres in width at the front extending 9 metres to the rear at a height of 6.8 metres over the entire roof space of the existing property and approved ground floor extensions under planning permission FG/133/15/HH which are currently under construction. The proposed roof would incorporate 5 flat roof dormers. The roof as a whole replace a single existing pyramidal hipped roof over the existing dwelling with a base of 8 metres by 8 metres and a peak height of 6.8 metres. The house would become a six bedroom property from a 3 bedroom property incorporating 3 further bedrooms in the roof two of which would be ensuite.
SITE AREA	Approximately 940 square metres.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance 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 property has a pyramidal hipped roof. A

	single storey garage with a hipped roof has been approved to the north of the dwelling. The front garden and drive is 10 metre in length with a 20 metre rear garden.
CHARACTER OF LOCALITY	A residential area in Ferring consisting of modest single storey bungalows.

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.

FG/133/15/HH - Approval of ground floor extensions incorporating a new attached single storey garage. Most of the approved ground floor extensions were located to the rear of the property and the scheme would have a limited impact on the street scene.

Other relevant applications;
FG/135/16/HH - a similar loft conversion to that proposed was refused on the grounds of design and adverse impact on visual amenity not subservient to the host property.

REPRESENTATIONS

Representations received:

Ferring Parish Council

Objection on the following grounds;
- the proposal by virtue of the design form height and scale would not be visually subservient to the existing dwelling
- it would alter the character of the exiting dwelling and would be out of keeping with the surrounding area.
- the proposal would have an overbearing appearance on neighbouring properties.
- Clearly an over development of the residential area.

Comments on Representations received:

Noted

CONSULTATIONS

Environment Agency

Consultations responses received:

Environment Agency - no objections

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
(NOT REQUIRED FOR CLE/CLP)

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN7	The Form of New Development
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

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.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Kingston; Littlehampton; Rustington; 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;

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

PRINCIPLE:

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan Policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

SITE HISTORY:

The proposal follows application FG/125/11 & FG/80/13/ which were refused due to the extensions proposed being overly large, failing to maintain visual subservience towards the host dwelling, as well as on design grounds as it was considered that the proposed works would fail to compliment the character and appearance of the host dwelling or the overall character of the surrounding area.

A further application FG/133/15/HH approved the ground floor element of the above scheme primarily because,other than the replacement of a detached garage with an attached garage,the scheme had limited impact on the visual amenity of neighbouring properties and the street scene and no impact on the residential amenity of neighbouring properties

CURRENT APPLICATION:

The revised scheme is, in essence, identical to that proposed under FG/80/13. The main planning considerations for application of this nature remain those enshrined within Arun District Local Plan Policies GEN7 and DEV19 and there has been no material alteration in these policies, or the way in which they are applied, since the time of the refusal of FG/125/13. As such, the objections raised against FG/125/13, which are provided below, remain valid with regard to the roof extensions which have a significant effect on the street scene,

DESIGN & SCALE:

Policy DEV19 of the Local Plan states that extensions to existing residential buildings should sympathetically relate to and be visually integrated with the existing building in siting, design, form, scale and materials, and also be visually subservient to the main building. It also indicates that the extension should not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

In this case, the proposal will result in a roof addition that is significantly disproportionate towards the existing roof of the host dwelling. The current roof area when viewed from the street is approx. 21 sq. m. which would increase by a factor of 250% to approx. 50 sq.m. dwarfing the roofs of all the other bungalows on Highdown Drive.

It is considered that the overall increase in bulk and scale is unacceptable when seen in context with the host building and surrounding dwellings, the majority of which are small, detached bungalows. The proposed works would essentially replace a small detached bungalow dwelling with a large, family chalet style dwelling would be wholly out of balance with neighbouring development.

The roof design is overly bulky to the degree that it creates a squat, boxy appearance to the dwelling that would be out of keeping with the tapering hipped roofs seen on the majority of nearby properties. For these reasons, the proposal fails to comply with Policy DEV19 (i), 9ii) & (iv) and GEN 7 (ii) in particular.

RESIDENTIAL AMENITY

The proposal would be acceptable in terms of residential amenity as it would not overlook any other properties nor would it cause a significant loss of light or have an overbearing impact on the habitable room windows of properties to the north or south immediately neighbouring the site.

As such the proposal would comply with policies DEV19 (i) and GEN 7 (iv) relating to residential amenity of neighbouring properties.

SUMMARY:

The proposal has not made any active attempt to address the objections raised against the previous schemes, which were considered to be unsympathetic towards the character and appearance of the surrounding area as well as the host dwelling.

It is therefore recommended that the application is refused for the following reasons.

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

REFUSE

1 The proposed roof extensions, by reason of their design, form and bulk, are excessive and would fail to relate sympathetically or subserviently with the host dwelling and in addition would be out of character with the locality, contrary to policies GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework (NPPF) which encourages good design.

2 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 with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the

reasons for the refusal, approval has not been possible.