

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

REF NO: FG/142/17/HH

LOCATION: 4 Chalet Gardens
Ferring

PROPOSAL: Enlarged side dormer

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposed enlarged dormer measures approximately 7.9m wide, 2.5m high and 3.7m deep.

The proposed dormer extension will have 3 windows, one to a bathroom and two to two existing enlarged bedrooms.

Materials to match the existing dormer.

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 property has a brick wall to side boundary between 0.5m -1.5m high.

SITE CHARACTERISTICS

Detached chalet bungalow, linked to No3 by a single storey garage and constructed of brick and render beneath a tile roof with a small dormer window in the side elevation. The property has a modest plot size. The existing dormer is flat roof and tile hang walls. The property has a larger side dormer on the eastern roof slope facing No.3.

CHARACTER OF LOCALITY

Residential comprising bungalows of varying size and design. A number have flat roof dormers in the roof slope.

RELEVANT SITE HISTORY

FG/188/14/HH Front extension

ApproveConditionally

02-03-2015

Planning permission was granted for a front extension in 2014 but this is not of direct relevance to the current proposal,

REPRESENTATIONS

Representations received:

Ferring Parish Council no response 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
GEN7
DEV19

Publication Version of the Local Plan (October 2014):

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

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
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.

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.

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; Felfham; 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 link detached bungalow is located within a cul-de-sac within the built up area where the principle of development is acceptable subject to other planning policies.

The proposal seeks to enlarge the existing small dormer however in reality it is not so much an enlargement of the existing but rather the erection of a new flat roof side dormer and the application has been considered as such. The proposed dormer is large but is still set within the side margins of the roof by a reasonable distance being 1.1m and 0.6m respectively. The dormer is just below ridge by only 0.1m and is above eaves by 0.6m. Due to the property position in the cul de sac the proposed dormer is not readily visible from the immediate streetscene, it can be viewed further along Chalet Gardens outside No.6 - No.10. However, similar dormers exist locally including No.3 Chalet Gardens.

Materials would match the existing property.

Therefore, on balance it is not considered that the proposed development will be harmful to the character and appearance of the host property or the wider area..

The neighbouring property to the east No.3 will be unaffected by the proposed dormer due to the position of the proposal. To the east No.5 is approximately 3m from the proposal. The proposed dormer windows would overlook the side of the house and the garden at No. 5. There are no first floor windows in No.5. However, given there are existing windows to the proposed bedroom it is considered that a condition be imposed requiring the glazing to be obscure. In light of this it is not considered that the proposal would detrimentally harm the occupiers of either property by way of overbearing effects or loss of privacy.

The proposal would not be obtrusive in the street scene, nor would it be out of keeping with the surrounding residential area and it is therefore recommended that the application be approved, 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 site plan, block plan, 14/987/01 & 14/987/02.

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 of the dormer window extension hereby permitted shall match in colour and texture those of the roof existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The windows (up to a point 1.7m above finished floor level) on the west elevation of the building facing No.5 Chalet Gardens shall at all times be glazed with obscured glass and 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 **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.