

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

REF NO: FG/142/20/HH

LOCATION: 22 The Poplars
Ferring
BN12 5QL

PROPOSAL: Single storey rear extension with mono pitch sloped flat roof

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Parish Council : No response

One letter of neighbour objection raising concerns of damage to the neighbouring property.

RESPONSE TO REPRESENTATIONS:

Alleged damage to neighbouring property from what is proposed is not a planning consideration when making a determination.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the built Up Area Boundary
Tree Preservation Orders

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally,

Policy 1A of the Ferring Neighbourhood Development Plan

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy 1A of the Ferring Neighbourhood Development Plan states that proposals within the Built Up Area Boundary will be supported, subject to accordance with other relevant development plan policies.

DESIGN AND VISUAL AMENITY

Due to its siting at the rear of the host dwelling, there will be few available views of the extension from the public realm, as the proposal is screened by built form, and boundary treatment. The extension appears subservient to, and well integrated with the dwelling, resultant of its modest scale and design.

The application is considered accords with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is due to its modest scale and design of the extension allowing the extension to slope down to its eaves height of approximately 2.15m when adjacent to the application site boundary. The proposed window on the northern side will not provide any views towards neighbouring properties any different to what is currently available. Additionally, the window on the eastern elevation is not considered to give any adverse overlooking on the neighbouring properties with views to the front.

The application is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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.

CIL DETAILS

This application is not CIL Liable.

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:
 - Location Plan, Proposed Elevations and Proposed Roof Plan Dwg No 20/24/1
 - Existing Floor Plan, Elevations and Roof Plan and Existing and Proposed Section Dwg No 20/24/2
 - Site Plan and Proposed Floor Plan Dwg No 20/24
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 **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.