

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

REF NO: FG/147/17/HH

LOCATION: Waters Edge
Florida Road
Ferring
BN12 5PE

PROPOSAL: First floor side extension to include balcony, ground floor verandah to North elevation, replacement & single storey extension to West elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to:

1. Erect a replacement single storey side extension on the west side of this dwelling which would replace an existing lean to utility room with a slightly larger one which would provide for an enlarged kitchen area in addition to a utility room.

2. A new first floor extension on the east side of the existing dwelling. This would be located above an existing single storey side element which presently has a flat roof and small 'mock pitch' around it. This extension has no side windows, but does propose a front window within an eaves dormer and also a pair of patio type doors in the rear first floor elevation which let out onto a limited area of the existing flat roofed area which would remain. This would reflect an existing rear balcony on the rear west side of the dwelling which is to be upgraded in terms of design and appearance.

The extension would have the same eaves level as the existing dwelling, although the ridge line would be set at a lower level, 7m rather than 7.75m. The roof would be hipped at the side to match the existing side hip on the west side. There would be 2 roof lights serving the new bedroom to be provided. An existing relatively small ground floor side window would be enlarged.

It is also proposed to widen an existing narrow first floor window in the west elevation, this is a secondary window serving a bedroom.

3. Materials proposed are mixed, although appear to seek to match the appearance of the existing dwelling. The dwelling is also to be rendered white with light grey timber weatherboard to first floor and dormer elevations.

	The proposal has been revised following a pre-application enquiry. In particular, the ridge line of the first floor side extension has been reduced.
TOPOGRAPHY	Predominantly flat,
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is enclosed by timber fencing of approximately 2m in height, although there is also some limited planting which provides some screening located adjoining fencing in places.
SITE CHARACTERISTICS	The site comprises a detached dwelling with painted rendered elevations and a plain tile roof which is set back from both the seafront frontage and the Florida Road frontage. The property sides on to the gardens of properties which face onto Florida Close. The main garden area is located to the rear of the dwelling adjacent to the seafront.
CHARACTER OF LOCALITY	The site is located within a residential area with a mix of dwelling types, designs and materials. Density varies in the immediate vicinity.

RELEVANT SITE HISTORY

FG/95/99/	Provision of fourth bedroom and improved bathroom layout within the existing redundant garage area as reconstructed.	ApproveConditionally 05-11-99
FG/88/98/	First floor extension to accommodate a fourth bedroom and en-suite facilities.	ApproveConditionally 26-11-98
FG/23/95	Installation of Aliport carport	ApproveConditionally 03-05-95
FG/93/60	Extension To Garage And New Dormer Window	Approve 19-09-60
FG/26/60	Alterations Including Garage Bedroom And Sun Loggia	Approve 16-03-60

This proposal has been the subject of a pre-application enquiry (pre-app). As a result of the Councils pre-app response, the original scheme has been revised to its presently submitted form and includes the first floor side extension having a subservient appearance.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Ferring Parish Council has not commented.

No other representations have been received.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATIONS

Engineers (Coastal Protection)

CONSULTATION RESPONSES RECEIVED:

The Councils Drainage and Coastal Protection Engineer raises no objection and considers that there is no reason to object to the proposal, which does not make provision for flood resistance and resilience measures for the replacement side extension. The existing utility room is some 10sqm. The proposed replacement is approximately 12sqm-13sqm.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Flood Zones 2 and 3

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2 Built-up Area Boundary

GEN7 The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality

D SP1 Design

QE SP1 Quality of the Environment

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 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; 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).

Ferring has a Made Neighbourhood Development Plan, this is therefore a material planning consideration. Whilst there are no policies relating specifically to the type of development proposed in this application, Policy 1A is relevant and this states that:

Policy 1A: Spatial Plan for the Parish

The Neighbourhood Plan defines the built up area boundary of Ferring village, as shown on the Proposals Map.

Proposals for development located inside the built up area boundary will be supported, provided they are suited to an urban setting and they accord with the provisions of the Neighbourhood Plan and with other relevant development plan policies.

Proposals for development located outside of the built up area boundary that do not accord with development plan policies in respect of the control of development in the countryside will be resisted.

This policy has been taken into account in making a decision on this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 boundary of the built up area and as such there can be no objection to the principle of development subject to compliance/consistency with the policies and all other material considerations.

DESIGN AND VISUAL AMENITY

This extension is sympathetically designed and is considered not to be intrusive visually. The extension has been revised from the pre-application design to now have secondary appearance due and therefore is subservient in this respect. The materials proposed are not specific, but this aspect can be dealt with by means of a condition requiring approval prior to development. The hipping of the roof and ridge level reduction significantly reduces massing and results in a scheme which will not be unduly dominant or intrusive visually in terms of impact on surrounding dwellings. The dwelling is well set back from the street frontage which significantly reduces impact on the street scene.

RESIDENTIAL AMENITY

The development is considered to result in little impact on the amenity of adjoining dwellings. Adjoining dwelling locations are such that it does not result in light loss and in addition there is little if any privacy impact arising from either the proposed new balcony or the altered existing balcony for the same reasons. Alterations to side windows which serve bedrooms are minor and are considered to similarly result in no appreciable harm to amenity.

The application dwelling and the first floor side extension are set away from adjoining dwellings in Florida Close and the hipped roof means that potential impact is further mitigated. Roof lights serve a bedroom and are therefore unlikely to result in amenity loss. There is also intervening development between the rear of the first floor side extension/ new balcony which screen the dwelling to the south east such that any potential for overlooking is acceptably mitigated. A side screen can be provided to the new balcony which can be required by condition and would further mitigate overlooking potential to the front garden.

A slightly widened window on the east side at first floor is very much a secondary bedroom window and is not considered to result in harmful amenity loss.

GENERAL

Parking provision is in excess of 3-4 spaces and the site is capable of accommodating sufficient parking to meet the needs of the enlarged dwelling in accordance with Council Standards.

The very limited increase in ground floor area does not give rise to flood risk issues and it would not be reasonable nor proportionate to require flood resistance and resilience measures for the replacement side extension.

CONCLUSIONS

The proposed development is not considered to give rise to unacceptable harm to visual or residential amenity and is in accordance with the Development Plan, including Neighbourhood plan, and acceptable in terms of other material considerations.

It is therefore recommended that planning permission be granted subject to 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

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 drawings:

Drawing Number 3D17-WTS-PL-01 - Site Boundary Plan

Drawing Number 3D17-WTS-PL-02 - Site Location Plan
Drawing Number 3D17-WTS-PL-02A - Site Location Measurements
Drawing Number 3D17-WTS-PL-06 Rev A - Floor Plans Proposed
Drawing Number 3D17-WTS-PL-07 - Elevations Proposed (North & East)
Drawing Number 3D17-WTS-PL-08 - Elevations Proposed (South & West)
Drawing Number 3D17-WTS-P-XX - Roofline - Proposed

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 A privacy screen shall be provided on the east side of the new balcony serving the new bedroom in the first floor side extension. Details of the privacy screen shall be first submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is first commenced. The privacy screen so approved shall be retained and maintained in perpetuity.

Reason: In the interests of residential amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development shall take place unless and until a schedule of materials and finishes to be used for external walls (including screens to the rear balconies and cladding) and the roofs of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 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.