

Recommendation Report for Planning Permission

REF NO: FG/16/21/PL

LOCATION: 1 Phoenix House
Ferring Grange Gardens
Ferring
BN12 5HU

PROPOSAL: Conversion of garage into bedroom & replace existing conservatory roof to solid roof with Velux (resubmission following FG/144/20/PL). This application affects the character & appearance of the Ferring Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to convert the existing garage to a bedroom and install a solid roof to the existing conservatory. The bedroom will sit at the eastern boundary and the conservatory sits at the west. The proposal sits 2.24m to the northern boundary, 23.95m to the east and 7.31m to the west. The materials used to construct this proposal will be similar to those existing. The windows will be wooden framed. The roof to the conservatory will be supalite tiled roof. At the east elevation the where the garage will be converted to a bedroom, the existing garage door will be changed to a window for the bedroom. The height of the conservatory roof will be 0.24m taller than it is existing.
SITE AREA	611.6sq.m
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The application site is bordered by foliage.
SITE CHARACTERISTICS	At present, the site is populated by a garage.
CHARACTER OF LOCALITY	The area is host to a wide variety of dwelling styles, types and sizes.

RELEVANT SITE HISTORY

FG/144/20/PL	Convert existing garage to habitable use & installation of solid roof to existing conservatory.	Withdrawn 06-01-21
FG/15/21/PL	Conversion of garage into bedroom & replace existing conservatory roof to solid roof with Velux (resubmission	Withdrawn 25-03-21

following FG/144/20/PL). This application affects the character & appearance of the Ferring Conservation Area.

FG/15/21/PL is of note, which relates to the site and proposed development.

REPRESENTATIONS

Ferring Parish Council - No objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

If minded to approve the application, the following conditions are suggested:

- Details of the proposed window
- Details of materials e.g., brick
- Details of the brick bond to be used in the section of walling to replace the garage door

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary.

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)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 is not considered to have any significantly harmful impact upon the character of the locality or the residential amenities of the neighbouring dwellings.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

In this case, the key policies are 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 this being suited to an urban setting.

DESIGN AND VISUAL AMENITY

The proposed development seeks to convert the existing garage to a bedroom and install a solid roof to the existing conservatory at Phoenix House.

Due to the siting of the proposed development, it is not considered to result in any significantly harmful

impact upon the character of the locality, as a result of its nature within the application site and that it is converting the use of an existing garage and minor changes to the existing conservatory. Although the bedroom has been converted from the existing garage, there will be some varying features, such as the existing door to the garage will be replaced with a window the bedroom. However, due to the single storey nature of the bedroom this window will not become an issue due to it's locality within the site. The changes to the conservatory roof will result in the roof height being 0.24m taller than the existing. Due to the use of materials and minor height change there will be no major issues.

In terms of design, the conversion of garage to bedroom and installation of a solid roof to the existing conservatory uses a range of materials which are similar to the existing and are of good design. The scale of the proposal will not change, although the use of the garage changes the scale will not. In terms of the conservatory the roof height will increase, however, this is minor and will have a minimal effect on the scale of the proposal. As a result, the modest scale of the proposal is considered to allow the proposal to appear subservient to, and well integrated with, the area.

Therefore, the proposal is considered to be in accordance with D DM1 of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal has a significant boundary at all elevations. At the north the boundary it is 2.24m, the east there is a significant boundary of 23.95m and the west allows for a boundary of 7.31m. The elevations will not provide any harmful overbearing or overshadowing to the occupiers of neighbouring properties.

This is due to the conservatory not having any additional windows added to it and the addition of a solid roof compared to what is existing will not provide any harmful impacts to neighbours. The conversion of the garage to a bedroom will see the garage door being replaced with a window to the bedroom at the east elevation. However, due to the single storey nature of the garage and significant boundary of 23.95m, there will be no harmful overbearing or overshadowing impacts to the neighbours at the east.

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

IMPACT ON HERTIAGE ASSETS

The property is located within the Ferring Conservation Area.

Para 189 of the NPPF requires the LPA (local planning authority) to identify the significance of the heritage asset affected by a proposed development. The property is of some significance.

Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. Whilst the development is situated at all elevations of the property, due to the small of the development proposed and the use of matching materials it will retain the appearance of the dwelling and is therefore considered to have no harm to the significance of the asset and preserve the appearance of the Conservation Area in accordance with HER DM3 of the Arun Local Plan.

SUMMARY

The proposed 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 CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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:

- Block plan 1467-P002 B
- Proposed elevation 1459-P301

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for proposed window and brick material of the proposed conversion of garage into bedroom & replace existing conservatory roof to solid roof with Velux have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To preserve the appearance in accordance HER DM3 of the Arun Local Plan and the NPPF.

- 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.