

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

REF NO: FG/22/25/HH

LOCATION: 12 Beehive Lane
Ferring
BN12 5NN

PROPOSAL: Replacement garage and first floor balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

FG/66/16/HH	Single storey rear extension to create Kitchen Dining Room & First Floor side extension to create bedroom.	ApproveConditionally 31-05-16
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REPRESENTATIONS

Ferring Parish Council - No response.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIESArun 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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a detached property on the corner of Chalet Road and Beehive Lane. The property has an attached garage which extends to the west of the property, towards Chalet Road. The proposals seek to replace the garage with a larger attached garage. The proposed garage will be 5m wide, where the existing is approx. 2.7m wide, and will extend back to the rear elevation of the existing single storey rear extension. The proposed enlarged garage is of an appropriate size and remains subservient to the original dwelling in accordance with D DM4.

The proposed balcony will involve the installation of a glazed balustrade above the existing single storey rear extension. The visual impact of this will be minimal and will not harm the character or visual amenity of the area.

Overall, the proposed development is in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The site is on the corner of Beehive Lane and Chalet Road, with neighbours to the east of the site and to the rear, fronting Chalet Road. The proposed garage extends out towards Chalet Road and away from neighbouring properties, and the associated fenestration is at ground floor level on the rear elevation. The proposed garage will not result in overbearing, overshadowing or overlooking effects.

The balcony will be to the rear of the property, above the existing rear extension. The depth of the property's rear garden is approx. 15.8m, beyond this directly to the south area the side elevations and frontages of property's along Chalet Road. Any views which may be gained of these properties from the proposed balcony will not be unduly harmful. From the east of the balcony, views may be gained into the rear gardens of neighbouring properties to the east and south, and views into the amenity space of properties opposite may be gained from the west. In order to mitigate these harmful overlooking impacts, screening has been proposed to the sides of the balcony, and a condition has been added to the permission requiring the screening to be maintained at a height of 1.7m in perpetuity.

Following amendments to the proposed plans and addition of conditions, the overlooking impacts of the proposal have been mitigated sufficiently and the proposals will not harm neighbouring residential amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

SUMMARY

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

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 and Block Plans 24/5028/1 rev A
- Proposed Floor Plans 24/5028/4 rev A
- Proposed Elevations 24/50/28/5 rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

3 The materials and finishes of the external walls and the pitched sections of the roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

4 The balcony hereby approved shall have fully obscured screening to a minimum height of 1.7m to the full depth of the balcony. The screening shall be provided to both eastern and western elevations prior to its first use. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policies D DM1 and QE SP1.

5 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

6 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.