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

REF NO: FG/25/18/HH

LOCATION: 26 West Drive
Ferring
BN12 5QZ

PROPOSAL: Demolition of existing attached garage; single storey extensions to front, sides & rear, 2 No.
rooflights to rear elevation & cladding to south & east elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to extend this dwelling 2.5m southwards and add gabled elements to this extension facing onto West Drive and southwards. This extension would be single storey with the roof of the main dwelling extending above. The proposed new roof of the dwelling would have full side hips. The existing garage would be replaced by a lounge and bedroom extension, with side hipped roof above but at a lower ridge level of 4.5m, the roof slope would be away from the dwelling to the north. The front of this extension would be 2.2m forward if the front of the existing garage to be demolished, the proposal indicates 3 car spaces, 2 existing and 1 proposed. Matching materials are proposed. The accommodation would be a kitchen, lounge and bedroom. This element of the works would be separately accessible, although also accessible via the main dwelling internally. It is for an annexe for an elderly relative.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development and no felling of trees is proposed. There is a garden tree to the south which will be in close proximity to the dwelling as extended, although this is not a large or particularly valuable tree. This tree will need to be cut back but could still be retained to provide some boundary screening.
BOUNDARY TREATMENT	1.2m wooden panel fencing to south boundary. Mainly screen planting to east boundary. 1.2m panel fence to north, rising to 1.8m/2m between dwellings. Rear boundary (west) panel fencing and mature landscape screening.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow. This is rendered, with a plain small clay tile roof There is a flat roofed single garage adjoining the boundary with no.24 to the north. The existing dwelling roof is hipped, with small 'gablets' at the north and south ends. There is parking space for up to 4 cars in front of the single garage. The rear of the application

	dwelling is located in close proximity to east boundary, being between 1.1m and 1.6m away, the rear of the existing garage is located 0.4m away from the boundary east. The side of the garage is located 0.7m away from the north boundary. The main garden areas of the dwelling are to the east and to the south
CHARACTER OF LOCALITY	Established residential area with a mature landscaped character. Varied dwelling types and designs/materials, with a mixture of bungalows, chalet type bungalows and two storey dwellings. To the north, the adjoining dwelling has 3 ground floor side windows facing the site and the side of the existing garage. To the west, the adjoining two storey dwelling has a gable facing and close to the site, but this has no openings facing the site, although there is a rear conservatory close to the joint boundary.

RELEVANT SITE HISTORY

FG/114/62	Extension	ApproveConditionally 19-10-62
FG/91/83	Extend Kitchen And Rebuild Garage	ApproveConditionally 20-07-83

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Ferring Parish Council raises no objection but comments that the PC raises the concern that this is an overdevelopment of the site and that the proposed size of the property with undoubtedly mean a greater occupancy and if there will be adequate parking at the site.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted and will be considered in the conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

No consultees.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

SD SP2	Built -Up Area Boundary
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

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 Main Modifications to the Arun Local Plan (2011-2031) were published for Public Consultation purposes over a six week period from Friday 12 January 2018 until 5pm on Friday 23 February 2018 and the consultation period is now over. The emerging Arun Local Plan is therefore at a very advanced stage and carries weight.

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 Plan, this is therefore part of the Development Plan and must be considered. 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.

The proposed development is in accord with the above policy.

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

DESIGN AND VISUAL AMENITY
The proposed design is sympathetic to the appearance of the existing dwelling and consistent with the design of other dwellings in the locality. The development is subservient where the annexe is proposed. Although the southern extension is not subservient, it continues the existing ridge line and roof pitches. The gables introduced are not intrusive and are visually acceptable given the mix of designs in the locality and given that they sit comfortably within the overall design. The annexe extension also sits well within the overall design visually. The extensions are not considered to result in an overdevelopment of the plot or in a dwelling with unduly great massing, the plot can adequately accommodate the proposed development without harm to visual amenity.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY
The proposal does not include new windows facing directly towards adjoining dwellings and new windows proposed are also largely screened by existing boundary treatments (fencing). There is therefore no harm to privacy. Dwelling separation with no.24 and no.21 is such that the proposals are not unduly dominant nor result in harmful loss of light, particularly as roofs slope away from adjoining dwellings. The proposal does not encroach into 45 degree outlook from the nearest front ground floor window of no.21.

The proposed development does not therefore give rise to harm to residential amenity and is in accord with policy.

PARKING
Proposed parking at 3 spaces is in accord with Council policy for a dwelling of the size proposed. Whilst 2 of the car spaces are 4.53m deep and 1 is 6.43m deep, these are considered to be capable of accommodating a park care and acceptable in terms of size.

CONCLUSION
The proposed development will not result in unacceptable impact or harm to visual or residential amenity and is therefore in accord with policies.

It is therefore recommended that the application be approved, 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 1719/C01 Rev B - Proposed Site/Block/Roof Plan - Dated 17.04.18
Drawing Number 1719/C02 - Proposed Ground Floor & Part Site Plan - Dated January 2018
Drawing Number 1719/C03 - Proposed Elevations - Dated November 2017

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 and roofs of the development hereby permitted shall match in colour, type, profile and texture those of the existing dwelling.

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

4 The annexe accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 26 West Drive, Ferring as a single family dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

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 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.