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

REF NO: FG/28/18/HH

LOCATION: 42 Upper West Drive
Ferring
BN12 5RH

PROPOSAL: Demolition of existing garage, erection of single storey extension & new garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The proposed single storey side extension would measure approximately 4.1m wide, 7.1m long and 2.8m high (max) with a dummy pitch roof. The proposed garage would be approximately 5m wide, 6.2m long and 2.7m high (max). The proposed materials for the extension would be render and tile to match. The garage would be painted textured finish with tile to match on roof..
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary has a timber fence approximately 1.8m high and a mature hedge approximately 0.75m. To the rear there is a wall and timber fence approximately 1.8m high.
SITE CHARACTERISTICS	The application site comprises a detached irregular shaped chalet bungalow. The property has a front flat roof dormer window extension and a single storey garage to the side of the property. The property is set back from the road with a deep frontage and is set on a large triangular plot.
CHARACTER OF LOCALITY	Residential comprising properties of a varied design and size set on spacious plots.

RELEVANT SITE HISTORY

FG/90/01/	Single storey extension and loft conversion.	ApproveConditionally 28-09-01

There is no relevant planning history.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No response to Parish Council to date.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
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):

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

Ferring Neighbourhood Plan 2014 Policy 1A — A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

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. A consultation into the proposed modifications ended February 2018.

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).

The relevant policy in the Ferring NP has been taken into account in the determination of 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

The application site is situated within an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed side extension would replace the existing garage and would be sited approximately 0.5 from the side boundary to the east. The extension would cover approximately half the length of the side elevation of the house and would broadly align with the front elevation of the main house. It would appear subservient to the main house.

The proposed garage is situated to the front of the main house adjacent to the front boundary. It is noted that the property's front garden is subdivided and extends a further 12m to the south west. There is no a staggered building line along the road and the application site is located on the bend of the road with a significant tree on the front boundary which means that there are no long views of the property and its curtilage. This makes for a different character from the road to the south. In addition, No.1 to the north east has a building close to the front boundary. As such given the above and the unique characteristic to the application site position it is not considered that the proposed garage and its siting will be unacceptably visually harmful to the streetscene.

The proposed materials would match and complement the main house. The development as a whole still retains a significant amount of garden area to the front, side and rear. Therefore, the development as a whole is not considered harmful to the character and appearance of the host property or the wider area.

There are no windows proposed in the side elevation of the extension facing the adjoining properties to the west with the main windows facing onto the front and rear garden. Due to its position there is no impact to properties to the east. Therefore it is not considered that the proposed extension is harmful to the privacy of the occupiers of the adjoining properties. Furthermore, given the height and size of the proposed extension it will not appear unduly dominant upon the adjoining occupiers.

The proposed garage would be approximately 12m from the nearest point of the adjoining property to the south and approximately 25m from the property to the north. Therefore, given the separation distance and size of the proposed garage it is not considered that the proposed garage will be harmful to the residential amenity of adjoining occupiers.

There are no parking implications arising from the proposed development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the visual or residential amenity. The proposed development therefore complies with adopted policies in the Arun Local Plan and the Ferring Neighbourhood Plan.

The proposed development is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

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.

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 site plan, 15/18/03 1, 15/18/03 2, 15/18/03 3, 15/18/03 4, 15/18/03 5 &15/18/03 6.

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 and texture those of the existing building.

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

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.