

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

REF NO: FG/31/15/HH

LOCATION: 2 Ansisters Road
Ferring

PROPOSAL: Loft conversion

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to insert 2 roof lights (0.55m x 0.98m) in the north side roof plane and 1 (0.78m x 0.98m) in the south side roof plane.

It is also proposed to insert a window centrally in the front gable and this would be 1.7m wide x 1.05m high. A further window would be inserted centrally into the rear gable and this would be 2.25m wide x 1.0m deep.

The windows would serve new bedrooms, 1 front and rear. The 2 roof lights would serve bathrooms and the single roof light would serve a landing.

SITE AREA

The site area is approximately 0.02 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

This is a medium density residential area of mainly bungalow type development.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front of this site on the southern boundary is generally open, although there is a 1.8m wood panel fence with a brick pier at the front corner. To the rear the site is enclosed by 1.8m wood panel fencing.

SITE CHARACTERISTICS

The site is occupied by a bungalow with gables facing the front and rear. It is constructed of red brick and has a roof of small brown plain concrete tiles. The bungalow has a pitched roof and a smaller frontwards projection also with a pitched roof. The front gables are tile hung above window level and the rear gable is white shiplap horizontal cladding above window level. The dwelling is located on a

relatively small plot and has a rear garden depth of between 4.1m and 6.6m. The front of the plot is of paviers and can provide parking for 2 to 3 cars.

CHARACTER OF LOCALITY

The general character of the area is area of mainly bungalow type development in in close proximity to each other. The bungalows are of varied designs and materials.

RELEVANT SITE HISTORY

FG/148/86	Two detached bungalows	ApproveConditionally 05-01-1987
FG/53/51	House	ApproveConditionally 12-09-1951
FG/77/86	Two detachcd bungalows and attached garages	ApproveConditionally 01-09-1986

None.

REPRESENTATIONS

Representations received:

Ferring Parish Council has not commented.

1 objection letter has been received from a neighbour opposite on the grounds of overlooking of their secluded property and loss of privacy.

Comments on Representations received:

The dwelling opposite the site enjoys good front boundary front screen planting which largely screens it from the new front window. It is also some 26m away, well in excess of normally required separation distance. There is therefore not considered to be detriment to residential amenity.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7

Built-up Area Boundary
The Form of New Development

DEV19
Publication Version of the Local
Plan (October 2014):

Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY 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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Ferring has a Made Neighbourhood Development Plan. This means that Ferring Neighbourhood

Development Plan has been brought into legal force and forms part of the statutory plan for Ferring. Consequently, decisions on whether or not to grant planning permission in this area will also need to be made in accordance with the Ferring Neighbourhood Development Plan, unless material considerations indicate otherwise.

In respect of extensions the NP has the following objective which is relevant:

6. Sustainable, well designed development and reduction in resource use.

The Plan has no policies of specific relevant to the 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 built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in only limited change to the appearance of this dwelling. The new gable windows are to match those which exist at the dwelling. The velux MK04 type roof lights proposed are of wood and can be finished to match the existing windows or roof colour. They do not extend significantly out from the roof plane. The works proposed are therefore not considered to be intrusive visually and are generally sympathetic to the appearance of the dwelling. There is considered to be no detriment to the street scene

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 proposed front window, for the reasons set out earlier in this report is not considered to give rise to amenity loss.

The side roof lights serve bathrooms and a landing. They are relatively small and face the roof planes of dwellings on each side. No.4 to the north has a relatively similar roof light in its side roof plane facing the application dwelling. They are not, particularly given the use of the rooms they serve, considered likely to give rise to privacy loss.

The proposed window in the rear gable window will face toward the bottom of the rear garden of 10 Clover Lane. Whilst it may be considered to offer invasive and unacceptable views into neighbouring garden the window could, none the less, be inserted without the need for planning permission as it is considered to be permitted development.

The proposed works are considered not to result in significant harm such that planning permission ought to be reasonably withheld.

It is therefore recommended that the application be approved, 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 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 (negative, Neutral or positive) 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).

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:

2402/SK100, Rev. B; Proposed Plans, Block Plan & Site Location; Dated Dec 2014
2402/G211; Proposed Elevations; Dated Dec 2014

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 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.