

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

REF NO: FG/33/15/HH

LOCATION: 15 Cissbury Road
Ferring

PROPOSAL: Rebuilding of existing roof to provide additional accommodation. Alterations to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal involves removal and replacement of the roof of the existing bungalow and alterations to the front elevation to reconfigure the window and door positions and amend their style and symmetry
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	Low walling to part of site frontage approx. 0.4m high. Fencing to side boundaries
SITE CHARACTERISTICS	Detached bungalow with plain tile roof and brick elevations. Single storey extension to side/rear.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly single storey properties of similar design with the same height ridge lines. Few have been extended in the roof, some dormers. No. 11 has a dormer in the west elevation. The dwellings are set back a similar distance from the road frontage behind a verge.

RELEVANT SITE HISTORY

FG/60/94	Extension to existing private residential bungalow	ApproveConditionally 12-08-1994
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REPRESENTATIONS

Representations received:

Ferring Parish Council

Objection

All properties in the area are bungalows or dormer bungalows, this application shows a proposal for a house. The proposal looks like a vast rebuild of the roof structure which not only raises the height of the roof structure but also the width profile from the road elevation to create a very large two storey house. The height of the proposed accommodation is a considerable increase on what is existing and it will impose on neighbouring properties. It is not in keeping with the surroundings, this would look radically different to the adjacent and surrounding properties and out of keeping with the area. This would set a precedent.

Comments on Representations received:

Agreed.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN7
DEV19

The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY 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.

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. There are no policies in Ferring Neighbourhood Plan which specifically relate to this type of development.

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and 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 site lies within the defined built up area where extensions to dwellinghouses are acceptable in principle provided the proposal accords with policies GEN7 and DEV19 of Arun District Local Plan. These set out the criteria against which applications for extensions will be assessed.

The proposed roof extension to what is currently a modest bungalow is significant. The dwelling would have a completely new first floor. The existing dwelling would be consumed within the proposed replacement bulky roof. The design and extent of alterations proposed would not be subservient to the existing property. They would transform the appearance of the dwelling, which is similar to its neighbours, to a full height 2 storey house which would appear as an alien feature

in the street scene and would bear no resemblance to the surrounding development which is characterised by low ridge heights. The roof area would be amended to a full first floor and would significantly alter the width of the dwelling above ground floor, uncharacteristically increasing its visual prominence. The proposal would therefore adversely affect the visual amenities and character of the area.

The increase in height of the roof would have no adverse effect on the residential amenities of adjoining residential properties by reason of overbearing impacts given the distance to the side site boundaries. There are no windows in the side elevation facing onto adjacent gardens and accordingly it is considered that there would be no material loss of privacy as a result of the extension. The proposal therefore has no adverse effect on residential amenity.

The application is recommended for refusal for the following reasons

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 (the right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 neutral 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).

RECOMMENDATION

REFUSE

- 1 Having regard to the height, width and design of the proposed roof extension it would not be subservient to the host property and the development would be prominent and obtrusive in the street scene and detract from the visual amenities and character of the area in conflict with policies GEN7 and DEV19 of Arun District Local Plan and the NPPF.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.