

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

REF NO: FG/42/18/HH

LOCATION: 17 Foamcourt Waye
Ferring
BN12 5RD

PROPOSAL: Demolition of existing detached garage & rear conservatory, enlargement of existing driveway, single storey side extensions, extension of existing roof over proposed extensions with 5 No. dormer windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal will result in an additional 2 bedrooms in the property - one on the ground floor and 3 in the extended roof space. The single story rear extension will wrap around the back half of the north elevation extending up to the boundary. It will be 3.2 m in height and project out approximately 0.5m further than the previous flat roof extension and no further than the single storey elements on the properties either side. The rear will be clad with cedar. The ridge height of the original bungalow will be increased by 1.25 m and the ridge extended on both sides finishing in bonnet hips with 2 small pitched roof dormers at the front (lighting the landing and an en-suite bathroom) and 3 dormers on the rear with French windows and Juliet balconies lighting three bedrooms. The space lost to parking by demolishing the garage will not be replaced as a garage but it is proposed to widen the drive using a permeable surfacing to 5.7m to accommodate 4 cars in tandem pairs.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.6 m close boarded fence to rear with access onto the Rife and open space. 1.6 m close boarded fences on side boundaries with evergreen hedge on the north side and 20cm trellis on south with trees and bushes in application site garden.
SITE CHARACTERISTICS	The application property is an bungalow with high hipped brown clay tiled roof and gable projection to the front. The elevations are rendered and painted white. The open plan front garden is 13.5 m wide and partly laid to lawn with trees and shrubs with a drive 4 m wide on the south side. There is a shed and detached garage on south side. There is a flat roof extension at the rear and a conservatory. The property backs onto the Rife and open space.

CHARACTER OF LOCALITY

Quiet residential area with open aspects to front gardens although some have low walls, hedges and shrubs. The properties are predominantly detached bungalows of varied designs and heights but in the immediate vicinity some have accommodation at first floor with dormers and roof extensions, including the adjacent property to the north and the property at the southern end of the road. To the side of the adjacent property to the north is a trapezoid shaped single storey element with a flat roof approximately 3.5 m high which projects out slightly further than the existing flat roof rear extension on the application site. There is a dormer across the rear roof slope of this adjacent property to the north. This house has a high level obscure glazed window in the south elevation facing the application site. There is a narrow single story element at the side of the house to the south which has a sloping roof and a maximum height of 2.5 m.

RELEVANT SITE HISTORY

FG/118/85	Erection Of Single Storey Extension At Side To Provide New Kitchen Dining Room And Garage	ApproveConditionally 27-08-85
PAA/235/17/	Ground & First floor side extensions with Alterations to roof.	
FG/91/04/	Conservatory.	ApproveConditionally 25-08-04
FG/56/02/	Loft conversion.	ApproveConditionally 13-08-02
FG/138/86	Porch to side at back door of existing bungalow	ApproveConditionally 15-12-86

Noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council
objection

overdevelopment, overbearing and impact on outlook; and larger household will result in inadequate parking

2 letters of objection

overdevelopment, 2 storey out of keeping, predominantly retirement bungalow and no houses; raising roof will adversely impact on street scene and views from protected open countryside to the rear by closing gap and removing openings between properties; precedent and potential for terracing effect, doubling area of front elevation; new ridge 4x longer than existing and 33% higher; impact on light and outlook of adjacent properties and properties opposite; impact on privacy and overlooking from balcony; bathroom window on front elevation facing road inappropriate; garden not wide enough for proposed parking and the increased area of hardstanding will have an adverse effect on the appearance of the street. insufficient room to park 4 cars on the area shown as hardstanding and the garage is too small for a car.

COMMENTS ON REPRESENTATIONS RECEIVED:

noted and considered in conclusions section.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Within the built up area boundary although adjacent to the open countryside.

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 SP1	Design
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings

[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 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 Ferring Neighbourhood Plan has been made and the relevant policies taken into account in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"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

Although the extensions proposed are not subservient as required by policy DEV19 of the Arun District Local Plan there is no demonstrable harm to either visual or residential amenity and therefore it is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is in the built up area boundary therefore under the provisions of policy GEN2 of the Arun District Local Plan and policy SD SP2 of the emerging Arun local Plan 2011-2031 development is acceptable unless it conflicts with other policies in the Plan.

VISUAL AMENITY

The proposal will result in a significant increase in roof mass but due to the bonnet hips and the form of development on either side it will not result in an unacceptable loss of space about the building and as there are a variety of designs and roof heights with dormers in the front elevation in the immediate vicinity and bungalows which have also been adapted to provide accommodation in the roof space the resulting building will not appear incongruous in the street scene. Therefore although it is not subservient and does not complement the scale and massing of the existing building and does not therefore accord with the requirements of policy DEV19 (ii) of the Arun District Local Plan or policy D DM4 of the Arun Local Plan 2011-2031 there is no demonstrable harm as a result of the development in this location. The extension of the driveway will still leave almost two thirds of the garden as lawn and shrubs and following development there will be space to boundaries comparable to other properties in the street.

RESIDENTIAL AMENITY

Due to the orientation of the property and the existing configuration of the properties either side, there will not be an unacceptable increase in overshadowing and minimal impact on outlook from these or the properties on the other side of the road. The only proposed first floor window is to a bathroom and this is proposed to be obscurely glazed to prevent undue overlooking. The windows at the rear will have Juliet balconies but due to the set back behind the rear walls of the houses either side and the fact that it backs onto the Rife and open space the dormers will not result in an unacceptable level of overlooking or loss of privacy. The flat roof to the ground floor extension is not shown to be used as a balcony and will be conditioned to prevent it from being used as such. Being located at the front set away from the street front the proposed dormers will have an acceptable impact by way of overlooking. As such the proposal complies with policies DEV19 of the Arun District Local Plan and policy D DM4 of the Arun Local Plan 2011-2031

HIGHWAYS AND PARKING

There will be 4 parking spaces as a result of the development. Therefore although the demolished garage will not be replaced there will be a net gain of one space. Even if it is considered that there is insufficient space for 4 cars there will be a neutral impact on parking given that there were 3 spaces previously shown.

HUMAN RIGHTS ACT

FOR APPROVAL**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 1718/1B, 1718/2A, 1718/3A, 1718/4B, 1718/5BB, 1718/6C, 1718/7B, 1718/8B, 1718/9A, 1718/10B, 1718/11A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 3 With the exception of the single storey rear extension the materials and finishes of the external walls and roof of the extensions 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 The flat roof of the single storey extension shall at no time be used as a balcony.

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

- 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 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.