

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

REF NO: FG/42/20/HH

LOCATION: 41 Sea Lane Gardens
Ferring
BN12 5EQ

PROPOSAL: Demolition of existing garage and erection of single storey side and rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to demolish the existing garage, and replace with a pitched rood side, and single storey rear extension.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

[Ferring Neighbourhood Plan 2014 Policy 1A](#) A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1A of the Ferring Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy 1A of the Ferring Neighbourhood Development Plan states that proposals within the Built Up Area Boundary will be supported, subject to accordance with other relevant development plan policies.

DESIGN AND VISUAL AMENITY

Due to its siting, the proposed development will be visible within the street scene. However, the proposed development is not considered to result in any significant impact upon the character of the locality, or its spatial pattern. The dwellings within the area are not deemed to have a uniform appearance, and have historically been extended in a multitude of ways. The proposed side extension has a maximum height of which is lower than the ridge height of the host dwelling, resultant of this and the proposed materials, the proposed extension is considered to appear subservient to, and well integrated with the host dwelling.

The rear element of the proposed development will be screened from public view due to the side extension, and as such, is not considered to have an impact upon the character of the host dwelling, or its locality.

The application is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the residential amenities of neighbouring dwellings, by way of overshadowing or overbearing impact. This is due to the siting of the proposed development, as it projects forward of the host dwelling. The area of the neighbouring property to the South is used as a parking area, and therefore, any potential overbearing impact does not affect primary habitable rooms, or private amenity areas of the neighbouring dwelling. There is not considered to be any loss of privacy as a result of the development, due to the lack of openings of which could result in this harm.

The application is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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 plans:

- Block Plan - HARLEY 05 - 29.03.20
- Existing and Proposed Ground Floor Plan - HARLEY 01 - 29.03.20
- Existing and Proposed Elevations - HARLEY 02 - 29.03.20
- Existing and Proposed Elevations - HARLEY 03 - 29.03.20
- Existing and Proposed Roof Plan - HARLEY 04 - 29.03.20

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The materials and finishes of the external walls (and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun 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.