

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

REF NO: FG/47/22/HH

LOCATION: 31 South Drive
Ferring
BN12 5QU

PROPOSAL: Approval for replacement of roof void window to sliding doors.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks approval for a replacement of 1 No. roof void window with a glass sliding door.

REPRESENTATIONS

Ferring Parish Council - Objection:

- Original description for this application was misleading until corrected.
- Balcony and glass screening have no consent as they were originally permitted as a roof void not habitable space with a balcony.
- Unacceptable impacts of overlooking.

1 No. Objection from nearby occupier:

- Loss of privacy due to overlooking.

1 No. representation from agent:

- Views from the previous and now existing replacement house looked/look across the front driveway and front garden area of No. 27 South Drive. This has not altered. Additionally, they do not overlook the rear garden.
- No. 29 features a rear balcony that overlooks the rear garden of No.27 and the public footpath to the rear of these properties allows for close proximity overlooking of rear gardens.
- Immediate neighbours to 31 South Drive were consulted prior to the submission of the plans for the new dwelling and were approved.
- The balcony area was approved as part of the original plans, the replacement of the window with these glass doors would allow for better access for cleaning and maintenance.
- The roof space is not habitable space and used for storage purposes only.

1 No. representation from applicant:

- Reassurance that the roof void is used for storage purposes and is not habitable space.
- No desire nor intention to overlook or invade privacy of neighbours.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

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:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

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 D SP1 of the Arun Local Plan regards the design of new development and states that it should be informed by sustainable design and should reflect the characteristics of the existing site and the locality in which it is situated. These characteristics include layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Ferring has a made Neighbourhood Development Plan with Policy 1A being of relevance which states that proposals within the Built Up Area Boundary will be supported, subject to accordance with other relevant development plan policies. As the development is compliant with the other key policies, it is also complaint with this policy.

Arun has adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

DESIGN AND VISUAL AMENITY

The proposal seeks approval for a set of glass sliding doors that have replaced a glass window on the second floor to the rear of the dwelling. This second floor is used as storage space. The doors provide access onto a rear roof void that would now serve as a rear balcony to the host dwelling.

The scale of this alteration is such that it is visually subservient to the host dwelling. The design is in character with the host dwelling and as such, in character with the locality as it consists of numerous individually designed detached dwellings that contribute to a diverse overall character.

This alteration is to the rear of the dwelling on the second floor. Although not visible from the front, the property backs onto the beach which also features a public footpath that provides views into the rear of the property. As such, although minimal and distant, the glass doors are visible within the wider street scene. These doors consist of materials which are matching to those found on the host dwelling and are of a complimentary visual design. The minimal scale and appropriate design of the proposal means that it gives no rise to adverse visual impacts on the street scene.

The proposal is compliant with relevant Development Plan policies D DM1(1), D DM4(a)(b) & D SP1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The siting, scale and nature of these glass doors are such that it gives no rise to any adverse impacts of overshadowing or overbearing on any neighbouring dwellings.

The installation of these glass doors now allows access onto the balcony at the rear of the second floor. The second floor (roof void) is to be used as storage and not habitable space. Provision of access to this balcony allows for cleaning and maintenance of the balcony.

In providing access to this balcony area, it can be used as such. The property retains a substantial rear garden amenity space with a depth of approx. 55m. The rear balcony viewpoint is on the second floor, higher than the rear balconies also found on the host dwelling on the first floor. However, despite being at a greater elevation the viewpoint is comparable to those found on the first floor. The balcony is sited within the eaves of the roof and as such, the new views will be long views. When drawing 45 degree sightlines from the rear balcony, the views are separated from the West (side) site boundary by approx. 10.6m and from the East (side) site boundary by approx. 8m. Sightlines to the West would meet the rear garden of No. 33 South Drive. Given the separation distance between this viewpoint and the site boundary is greater than the minimum rear garden separation distance of 10.5m set out in section H of the Arun Design Guide, the balcony does not give rise to any significant adverse impacts of overlooking on this dwelling.

Dwellings No. 29 & 27 are to the East of the host dwelling and are set back from the rear elevation by approx. 21m & 28m respectively. Owed to their siting, the front gardens of these dwellings are in view from the newly accessible balcony. The front garden of No. 29 is visible from the street and as such, the rear views from the balcony of No. 31 do not give rise to adverse impacts of overlooking on this property. The front garden of No. 27 would be visible from this rear balcony but is separated from this viewpoint by approx. 28m and as such, this viewpoint gives no rise to adverse impacts of overlooking to this property.

By virtue of it not having an unacceptable overbearing, overshadowing or overlooking impact on neighbouring dwellings, the development is compliant with relevant Development Plan Policies D DM1(3) & D DM4(c) of the Arun Local Plan and relevant sections of the Arun Design Guide.

SUMMARY

The proposal is compliant with the relevant Development Plan Policies and as such, it is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

APPROVE CONDITIONALLY

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- 2
- 3 **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.