

PLANNING APPLICATION REPORT

REF NO: FG/49/11/

LOCATION: 22 Elverlands Close
Ferring

PROPOSAL: Extension to rear & side of existing garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for an extension of the existing garage. The existing garage measures approximately 5.6m in depth x 2.5m in width x 2.8m in height. The proposed garage would measure approximately 8m in depth x 3.6m in width x 2.8m in height.
SITE AREA	Approximately 597 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Timber fencing enclosing rear boundary, dwarf brick wall to front boundary.
SITE CHARACTERISTICS	Detached single storey dwelling, render elevations with UPVC cladding within gable. Gable pantiled roof. Detached garage to north side of the dwelling which has a false pitch tiled roof.
CHARACTER OF LOCALITY	Residential area, characterised by detached bungalows.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Ferring Parish Council

Objection; support the comments made by the adjoining neighbour at 23 Elverlands Close including the potential loss of light enjoyed by her for many years.

1 Letter of objection:

- Concerned that I have not received in writing notice of the application.
- Garage adjoins neighbouring garage, and were constructed as a single entity.
- Party Wall between garages subject to the Party Wall Act.
- Room described as utility room is in fact a sun room to 23 Elverlands Close.

- Extension will be encroaching and intimidating.
- Block light from south facing windows of sun room at No.23 which has been enjoyed for 20 years.
- Make effective maintenance impractical.
- Concerns with regards to fire regulations given the proximity to the large sun room windows.
- Doubts over structural practicalities of imposing changes to the roof and a new roof structure together with the concrete garage floor and footings, comprising the structural integrity of neighbouring garage.

Comments on Representations received:

Comments on Parish Council response and letter of objection:

This Authority does not operate policy in which neighbours are individually notified in writing of planning applications. The orange notice is displayed on site for this purpose and the applications are also advertised within the West Sussex Gazette and on the Councils Website. This covers the statutory requirements for the advertisements of planning applications.

The Party Wall Act is a private matter and not a consideration or requirement for the planning process. It is advised to seek legal guidance on these issues.

The structural and mediation works to the neighbouring building as well as that of the proposed building are not material planning consideration nor is the maintenance of the structure. With regards to the window being blocked, this window abuts a side boundary which could be obscured at anytime with boundary fencing up to 2m in height or and outbuilding of up to 2.5m in height. The window is not considered to be a principal window to the sun room given its obscurity and that it faces directly onto the neighbouring garden.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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

The application seeks permission for an extension to the existing garage increasing both its width and depth. The garage is viewed within the street scene therefore the proposed extension would be readily visible.

The proposal would alter the appearance of the the existing garage with an increase in its width, this is not considered to be detrimental to the street scene as the existing design and height would be maintained.

In terms of residential amenity the addition would be acceptable, whilst it would obscure a ground floor window to the neighbouring building, this is not a principle window and therefore the addition is not considered to detract from the private amenity of the neighbouring property. Further boundary fencing of 2m high could be constructed along this shared boundary which would also obscure this window and also a detached structure/outbuilding up to 2.5m could also be constructed along this boundary. As such the proposal is considered acceptable.

It is therefore recommended that the application be approved subject to the following conditions.

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:

Drawing No. 11/9; 11/9/2 and 11/9/1.

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

3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.