

Recommendation Report for Planning Permission

REF NO: FG/49/12/

LOCATION: 60 Langbury Lane
Ferring

PROPOSAL: Loft extension to rear & dormer for additional bedroom. Front roof to be gable end

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for hip to gable roof extensions to the front and rear of the existing dwelling and a pitch roof dormer window to the northern roof slope. Also proposed are new roof lights within the roof slopes of rear addition in addition to windows within the front and rear gables. The rear gable extension would have an overall depth of 5.8 metres. The dormer window to the north elevation is to measure approximately 2.4 metres in width x 3.6 metres in depth x 2.7 metres in height.
SITE AREA	Approximately 514 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Wooden fencing approximately 1.8 metres high enclosing the rear garden. Hedging to southern boundary approximately 1.3 metres high.
SITE CHARACTERISTICS	Single storey detached rendered bungalow with loft conversion. Hipped red tile roof, rooflights within the front, rear and side roof slopes. Existing single storey rear extension. Property is set back from the highway by approximately 10m.
CHARACTER OF LOCALITY	The site is located within a residential area on a main road. Mix of different types and styles of properties. Single storey property to the south No.58 has a flat roof rear extension, and the 2 storey property to the north No.62 is extended to the side and rear at ground and first floor level.

RELEVANT SITE HISTORY

FG/33/09/	Side & rear extension, loft conversion.	Withdrawn 22-04-2009
FG/58/09/	Rear lounge & kitchen extension, loft conversion & dormer windows.	Refused 15-06-2009
FG/85/09/	Side & rear extension. 2 rooflights in northern elevation and 1 rooflight in the southern elevation.	Approve Conditionally 28-09-2009

REPRESENTATIONS

Representations received:

Ferring Parish Council

Objection. The proposed roof alterations and changes are substantial and by virtue of design, form and scale, they would not be visually subservient or integrated with the existing dwelling. Alters the simple character of the dwelling, out of keeping with the street scene. Proposal is contrary to policies GEN7 and DEV19 of the Local Plan.

1 Letter of objection:

- Intrusive roof extension will reduce privacy to rear garden of 62 Langbury Lane, overlooking decking, summerhouse and conservatory.
- Loss of light to rear of property and garden.
- Overdevelopment and neighbour unfriendly with 2 extensions being constructed since 2009.
- Comparison is made to 54 Langbury Lane, however this is smaller, on the side and does not overlook the rear garden.
- Reference made to previous refusal for a roof extension and that the current proposal is comparable.
- Unreasonable to permit a third extension, must be a limit to the extent a property can be extended and the intrusions and disruptions that a neighbour is expected to tolerate.
- Ferring Parish will object to this application as they have done previously, reference made to their previous comments.

Comments on Representations received:

Comments on Parish Response:

The Parish Council comments are fully noted, however in this instance they are not agreed. The street scene is varied with many types and styles of 1 and 2 storey properties noted. It is also noted that similar extensions have been carried out 54 Langbury Lane, although these have maintained half hipped roof extensions. Whilst the additions would alter the appearance of the dwelling the changes are not considered to be detrimental to its appearance.

Comments on letter of objection:

The only windows that have potential to overlook the neighbouring property to the north are the roof lights to bedroom 4 in the southern and northern roof slopes. These will be controlled by condition to ensure that they are obscure glazed and fixed to be non opening. The window within the rear gable section would overlook the rear garden of the application site with only oblique views of neighbouring sites, therefore not resulting in any undue detriment to the neighbouring property. Similarly, the scale of the additions with the eaves height of the property maintained and the roof being pitched away from the north means the resultant addition is not considered to have any unacceptable overbearing affect or loss of light to 62

Langbury Lane.

Previous extensions which were refused/withdrawn sought permission for roof extensions of a greater scale to that now proposed. It should be noted that disruption from building works in this case would not be material in the determination of this application.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7 DEV19	The Form of New Development Extensions to existing residential buildings
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PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

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

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 or legislative background.

CONCLUSIONS

HISTORY

The site has been subject to various approved and refused planning applications prior to this current scheme. Single storey extensions and roof lights were approved under FG/85/09; these have been constructed. Prior to this approval, large roof extensions were proposed under FG/58/09 and FG/33/09. FG/58/09 was refused due to the overall scale and change proposed to

the roof, which in affect formed a two storey property and FG/33/09 was withdrawn.

CURRENT PROPOSAL

The application seeks permission for roof extensions to the existing dwelling to provide further accommodation at 1st floor level. The proposed extensions would not increase the footprint of the existing property with the rear addition extending across part of the rear extension.

CHARACTER AND APPEARANCE

The site is located within a residential street which is characterised by various types and styles of properties, with no prevailing character noted. Of particular note is No.54 Langbury Lane which has had similar extensions to the roof with a dormer projection forward, a ½ hipped extension at the rear as well as a flat roof dormer to the southern roof slope to create 1st floor living accommodation.

The proposed additions would alter the existing appearance of the property with the introduction of a gable end to the front and rear elevations. However, given the varied street scene this is not considered to detract from the established appearance of the street scene and would therefore be acceptable from a visual point of view.

RESIDENTIAL AMENITY

The roof extensions propose further windows and roof lights to all elevations. The proposed rooflights to bedroom 4 will be conditioned to be non opening and obscure glazed and the dormer window obscure glazed; mitigating any direct overlooking of neighbouring properties. The other windows will overlook the front and rear gardens and therefore do not given rise to any direct overlooking of neighbouring sites.

The size and scale of the extensions are also acceptable with the eaves height of the property being maintained, ensuring that the roof hips away from the northern and southern boundaries at a height of 2.1 metres. This together with a minimum distance of 1.1 metre being maintained from the northern boundary will prevent any unacceptable overbearing affect or loss of light occurring as a result of the roof extensions.

SUMMARY

In the absence of any detrimental impact upon the street scene or residential amenity of adjoining sites, it is recommended that the application be approved subject to the conditions set out below.

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 (right to respect for 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 a neutral impact has 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

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:

1:1250 Plan; Site Plan (1:200); Existing Ground Floor; Existing East and West Elevations; Existing North and South Elevations; Existing First Floor Plan; Existing Roof Plan; Proposed First Floor; Proposed East and West Elevations; Proposed South and North Elevations; Proposed Roof Plan.

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 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing dwelling.

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

- 4 The rooflights serving bedroom four on the north and south roof slopes of the dwelling shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 The window within the dormer roof extension on the north roof slope of the dwelling shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

6 **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: GEN7, DEV19

NATIONAL PLANNING POLICY FRAMEWORK

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