

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

REF NO: FG/53/18/HH

LOCATION: 5 Barbary Lane
Ferring
BN12 5JB

PROPOSAL: Ground & first floor rear extension, new roof on existing shed & hip to gable end to join garage & shed.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension on the dwelling comprises an infill at ground floor as far back as the existing single storey element and the extension of the roof over both in line with the existing ridge height, finishing in a bonnet hip. In addition it is proposed to join the existing shed and garage with a brick wall, changing the rear hip of the garage to a gable and increase the height of the shed roof by 0.6m
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fences on the side and rear boundaries of the rear garden and 1m clipped hedge on front and side boundaries of front garden
SITE CHARACTERISTICS	One of three chalet bungalows (5, 7 and 9) of similar design with bonnet hipped roofs gable end on to the road and accommodation in the roof space. The front garden is laid with paving slabs with a small quadrant of lawn. There is a covered passage along the north side approximately 1m wide.
CHARACTER OF LOCALITY	Residential with mixture of house and bungalows. The two properties to the north are of similar design to the application site and number 7 immediately to the north has a garage to the side and a shed hard on the boundary. There are 3 windows at ground floor on the south elevation of this property. The house to the south has a single storey flat roof extension 3 m high and 2 m deep. There is a window in the gable end at first floor and 4 obscure glazed windows at ground floor on the side elevation facing the application site

RELEVANT SITE HISTORY

FG/97/52	Bungalow	ApproveConditionally 22-12-52
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FG/54/07/

Single storey rear extensions

ApproveConditionally
24-05-07

noted

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

1 letter of objection

increase in the height of the shed would be overbearing; velux window on the south elevation would result in a loss of privacy to the patio/garden next door; hours of work should be Monday/Friday 08.00hs until 17.00hrs and Saturday 08.00hrs until 12.00 noon and not on Sundays.

COMMENTS ON REPRESENTATIONS RECEIVED:

noted. It would not be inappropriate to restrict hours of work on this type of development. The southern velux provides light to the ground floor room and is therefore too high to provide direct overlooking as it is in the roof space with the bottom of the roof being 2.5m above the ground.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Within the built up area boundary.

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

PLANNING POLICY 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

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

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 is subservient to the main dwelling and although it will result in an increase in roof mass the development is at the rear and will not affect the visual amenity of the locality in compliance with policies GEN7 and DEV19 of the Arun District Local Plan and policies D SP1 and D DM4 of the Arun Local Plan 2011-2031 .

RESIDENTIAL AMENITY

The properties on this road are aligned north south and extension to the dwelling at roof height will project only 0.2 m beyond the rear elevation of the house to the south and c 1.2 m beyond the house to the north which also has a garage 3 m in height along the boundary. Therefore the impact on light and outlook from the house extension on either of the neighbouring properties will be minimal. The height of the shed will be increased by only 0.6 m. and is more than 4 m away from the rear elevation of the house to the south and there is an extended outbuilding on the side boundary of the property to the north so this increase in height will not unreasonably impact on the outlook of the occupiers of either of those properties. Due to the orientation of the properties there will not be an unacceptable increase in overshadowing. The window on the south roof slope of the dwelling extension will be a secondary window to the ground floor and overlooking will not take place due to its height. As such the proposal complies with policies GEN7 and DEV19 of the Arun District Local Plan and policies D SP1 and D DM4 of the Arun Local Plan 2011-2031

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:Site location plan 00314791-4324C6; block plan 00314790-BA611C and drawings nos 1,2,3,4,5,6.

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 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 buildings.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 4 The velux window on the south roof slope of the extension to the dwelling hereby permitted shall be fixed shut and be glazed entirely with obscure glass and maintained in that condition at all times.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies GEN7, 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.