

Recommendation Report for Planning Permission

REF NO: FG/57/25/PL

LOCATION: 20 Sea Lane
Ferring
BN12 5DS

PROPOSAL: Removal of a pitched and glazed sun room roof and erection of a flat roof with horizontal rooflights. This application is in CIL Zone 4 (zero rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	Dwelling.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

FG/55/99/	Enlargement of conservatory previously granted permission FG/19/99	ApproveConditionally 05-07-99
FG/19/99/	New conservatory and detached double garage.	ApproveConditionally 22-04-99

REPRESENTATIONS

Ferring Parish Council - No response received.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within an area with potentially high ground water levels.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

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

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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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 there will be no unacceptable adverse effects on the character and appearance of the area or the residential amenities of neighbouring occupiers.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a detached dwelling located at the corner of Sea Lane, close to the junction with Goring Way. Following the removal of the existing pitched and glazed sunroom roof, a new flat roof with horizontal rooflights is proposed in its place. The proposal would include rendering the walls of the sunroom. The

roof will alter the external appearance of the current sunroom (which features a pitched roof currently). The new flat roof is visually subservient and will not be highly visible from the street scene and is acceptable in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP). The walls of the sunroom are to be painted render. Whilst the materials would not match the existing, given its limited visibility from the street scene, the works will not impact on the character of the dwelling and are acceptable.

The re-roofing of the sunroom would not result in any increase to the footprint of the host dwelling and would not compromise the character of the dwelling and area given the variety of roof forms and designs within the locality, the works are acceptable.

The proposed development will integrate with the existing dwelling in terms of its materiality and form and would not compromise the character of the dwelling and area. The proposal is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP) and the Arun Design Guide (ADG).

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

Given that the proposal would not alter the footprint of the dwelling and the replacement roof would be lower than the existing pitched roof, the proposal would not result in any overshadowing or overbearing impacts.

The changes proposed are mainly cosmetic in nature, and no additional fenestration is proposed. The rooflights are high-level, serving the ground floor accommodation, and will not result in any overlooking. Given the nature of works, the proposal would not result in any harm to neighbouring properties.

The proposal would not result in harm to the amenity of neighbouring properties by way of overbearing, overshadowing or overlooking impacts and the proposal is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposal is in accordance with relevant development plan policies and, as such, 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

- 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:

Location Plan, Existing Block Plan and Proposed Block Plan 00 A.
 Proposed Elevations 1 of 2 02.
 Proposed Elevations 2 of 2 03.
 Proposed Ground Floor Plan 03.
 Proposed Roof Plan 04.
 Biodiversity Enhancement Statement (received - 09-05-25).

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

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 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.