

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

REF NO: FG/59/19/HH

LOCATION: Pied A Terre
Ferring Street
Ferring
BN12 5JW

PROPOSAL: Erection of single storey extension to east elevation & first floor extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

FG/170/18/HH	Single storey extension to east elevation.	ApproveConditionally 19-11-18
PAA/168/17/	Front extension & first floor extension to form 1No. dwelling unit.	Refuse Pre App 13-11-17
FG/34/17/PD	Application for Prior Approval under Class O for change of use from office (class B1(a)) to a dwelling (class C3).	No Object'n + Conds 08-05-17
FG/43/01/	Outline application for demolition of police office and erection of detached bungalow	Refused 05-06-01

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Objection:

This is another in a series of applications to continue the further development, step-by-step, of this ex-police office on a small village-centre plot. Taken in isolation, as a unit, the internal living accommodation would be enhanced but that takes no account of the adverse external impacts.

This is a semi-detached property sharing a party wall with the neighbouring bungalow. The proposed

upward extension could not claim to be subservient to the existing unit and would dominate the small plot and the adjoining garden depriving the residents of the privacy they currently enjoy.

The height of the proposed development and close proximity to the boundary and the windows of the residents of Pump Court is unacceptable as it would deprive them of the open view and unrestricted sunlight they benefit from and instead impose restricted light and an outlook onto a wall and roof in close proximity to their south-facing windows.

The detrimental impact on neighbours of this over-development of a small, cramped site which will provide little amenity space and is unable to provide any car parking space is conclusive and outweighs the applicant's attempts to test to the limit any possible opportunity to maximise personal financial advantage. This latest proposal surpasses that limit and we urge ADC to refuse.

15 letters in response to the application.

9 letters of objection to the application for the following reasons:

- Overlooking and overbearing on neighbouring properties.
- Over development of a small site.

6 responses in support of the application for the following reasons:

- There is a need for affordable housing in the Ferring area.
- The development being an improvement on the existing building.
- The proposed development being in keeping with the surrounding area.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within the Built-Up Area Boundary

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
SDSP2	SD SP2 Built-up Area Boundary

[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

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the

Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1A of the Ferring Neighbourhood Development Plan.

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 1A of the Ferring Neighbourhood Development Plan states that proposals for development located inside the built up area boundary will be supported, provided they are suited to an urban setting and they accord with the provisions of the Neighbourhood Plan and with other relevant development plan policies.

Site history

Relevant site history noted.

DESIGN AND VISUAL AMENITY

The extension, by virtue of its siting, is visible from the street scene. The proposed extension would measure 4.5m to eaves and a total height of 7m, and is therefore considered to be a significant addition to the host dwelling given that the height of the property as it faces Ferring Street is more than doubles whilst not extending any more forward.

Within the local area there the development abutting and north of the application site is predominantly two storey as they are opposite the site. Consequently, in terms of impact on the wider area and the character and appearance of the locality, the extensions do not have a significantly detrimental impact.

The proposed development is therefore in accordance with D DM1(1), (2), D DM4(a) and (b) of the Arun Local Plan in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development will result in a loss of privacy to occupiers of 2 Onslow Drive, as the proposed extension would have a window on the southern elevation on the first floor which will overlook the north eastern corner of the private amenity space of this property negatively impacting on the enjoyment of that area. However, a condition can be applied to this window to make it obscure glazed and fixed shut which would prevent this potential loss of privacy. None the less it is still the case that an extra 4m of height would be introduced at this point abutting the boundary with 2 Onslow Drive which will have an unneighbourly impact on the occupiers and users of this space at the property.

In addition to overlooking to the south the proposal will have an overbearing and overshadowing impact on the living conditions to the occupiers of the ground floor of Pump Court. The size of the development would mean that the living conditions of the ground floor residents would be impacted as their windows would look directly at the first floor of the proposal.

The proposed extension and addition of a first floor is considered to be oppressive and overlook.

The proposed development is therefore in conflict with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is not considered to be in accordance with D DM1 and D DM4 of the Arun

Local Plan. Therefore, the application is recommended for refusal due to its unacceptable detrimental impact on neighbouring residential amenity.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed first floor extensions to the north and south, by virtue of their scale, siting, size and proximity to the boundary will have an unacceptable overbearing and overshadowing impact upon the neighbouring occupiers of 2 Onslow Drive and Pump Court, in conflict with policies D DM1 and D DM4 of the Arun Local Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.