

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

REF NO: FG/5/21/HH

LOCATION: 4 Chalet Gardens
Ferring
BN12 5PD

PROPOSAL: Removal of existing single garage, new single storey side extension with part pitched roof and main area of flat roof

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Single storey side extension, approximately 10.3m in length, 3.1 m wide and 3.5m to ridge height providing new living and bedroom accommodation.
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RELEVANT SITE HISTORY

FG/142/17/HH	Enlarged side dormer	ApproveConditionally 26-10-17
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FG/188/14/HH	Front extension	ApproveConditionally 02-03-15
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REPRESENTATIONS

None

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXTDesignation applicable to site:
none**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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan, Arun also has an adopted Design Guide of which part M is of relevance. Additionally, Ferring has a made Neighbourhood Development Plan policy 1A is of relevance.

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.

Part M of the Arun Design Guide provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, the infill side extension should also be subservient to the host dwelling and respect the space between buildings.

Key areas of concern;

- Design and Visual Amenity
- Overlooking, Overbearing and Overshadowing

DESIGN AND VISUAL AMENITY

It has been proposed to erect a single storey side extension measuring approximately 10.3m in length and 3.1m in width on the site of a smaller existing single storey garage. The proposed extension is to be built from materials which match the host dwelling and to a comparative scale, with a flat roof covering with a false pitch roof to its frontage. The eaves are to match on the front elevation, however due to the nature of a flat roof the eaves at the rear do appear higher than those of the existing building. It is considered that by reason of its scale, design and materials, the proposed extensions and alterations would not cause undue detriment to the appearance of the dwelling.

The proposal is highly visible from the street however it is intended that the front wall is constructed in the same location as the existing garage frontage. Furthermore, the proposed false pitch roof is thought to make the proposal a visually attractive addition. It is therefore considered that the extension will be visually subservient to both the host dwelling and street scene.

It is therefore considered that by means of design and visual amenity the proposed development is considered to be in accordance with policies D DM1 (1), D DM4(a), (b) and (e) of the Arun Local Plan and the Arun Design Guide Part M.

OVERBEARING, OVERSHADOWING and OVERLOOKING

The proposed extension, due to internal head height requirements, will be approximately 0.7m higher to the front and 0.8m higher to the rear than the existing garage structure. This height difference is notably visible as the proposed extension forms a link attachment to an existing garage to the East at No. 3 Chalet Gardens. This, combined with the additional 2.3m in length of the proposal, running towards the rear directly on the boundary, will have an effect on the neighbours to the East however it has been noted that a similar extension could be obtained through the properties Permitted Development allowances and is therefore deemed acceptable, especially in an urban location.

There will be an element of overshadowing, predominately to the rear of the property however due to the appropriate size and scale of the extension this should be minimal compared to the overshadowing at the rear by the host dwelling itself and it is therefore thought to be acceptable to both the occupiers and the neighbours to the East.

New fenestration is proposed to the South, North and Western Elevations. The North and Western windows face onto the rear private amenity space of the host dwelling and as such cause no overlooking onto neighbouring private amenity spaces; the South facing window overlooks the public realm and as such is afforded no views other than those which are already available.

It is therefore considered that by means of overbearing, overlooking and overshadowing the proposed development is considered to be in accordance with policies D DM1(3), D DM4(c) of the Arun Local Plan and the Arun Design Guide Part M.

SUMMARY

The proposed development is deemed to accord with the relevant development 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 CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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;

- 21/02/SLP Location and Block
- 21/02/02 Proposed Plans and Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM4 of the Arun Local Plan.
- 3 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.