

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

REF NO: FG/62/12/

LOCATION: 91 Midhurst Drive
Ferring

PROPOSAL: Side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension is in an advanced stage of construction. It measures 6.5 metres in width by 7.47 metres in depth and 5.55 metres in height.
SITE AREA	Approximately 687 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open frontage. Side and rear boundaries marked by approximately 1.8 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling that has brown brick elevation walls and a tiled, sussex-hipped roof. The extension, subject of this application, is largely complete and has been added to the eastern elevation.
CHARACTER OF LOCALITY	The site is located on a residential road that is bordered by a linear arrangement of detached bungalow dwellings that are set back from the road with largely open frontages and roadside verging and landscaping helping to produce a spacious character and appearance.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

2 letters of support: Extension is sympathetic and compatible with the original dwelling and the street scene.

1 letter of objection: Appears that the intention is to make it a separate property or a 'granny annexe'. Design is poor, particularly the join between the existing and new roof. The hipped roof does not match the original gable ends. Loss of the garage means the loss of a parking space at a busy junction. Plans show different arrangement of windows to what has been built.

Comments on Representations received:

Noted. The extension could not be used as separate accommodation without a further

application for planning permission to that effect. The design purposely breaks up the roof line to prevent it appearing monotonous and creating a visually subservient relationship between the extension and the original dwelling. This relationship is encouraged by Arun District Local Plan Policy DEV19. Whilst the new roof does not match the Sussex-hipped style of the original roof, it is not overly dominant and does not significantly detract from the symmetry of the dwelling. The garage could have been removed any time completely legitimately and there is ample space to the front of the site for off street parking if needed. Alternative windows were fitted during the construction of the extension, an amended drawing showing these alterations has now been supplied, it is not considered that the change in design has resulted in a material impact to the essence of the application.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

The Emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

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

The extension is in situ, with building works largely completed. It has replaced a detached garage that was located to the east of the dwelling. It should be noted that a side extension of equal floor area and in a matching position to the application extension could be built under householder permitted development rights. Planning permission is only required in this instance due to the height of the roof exceeding the permitted development threshold of 4 metres. Had the extension been built within the height threshold it may have taken on an awkward and contrived appearance.

The extension has lengthened the dwelling frontage, however, the plot itself is wide and the extension has been incorporated without making it appear overly cramped, with an adequate visual gap between the extension and the neighbouring dwelling to the east. The extension, in any case, has a low level of visual impact as it is set well back from the street and is of a modest scale. It is therefore considered that the extension has not compromised the visual and spatial characteristics of the surrounding area.

The extension is considered to relate sympathetically towards the existing dwelling in terms of design and scale. The roof ridge steps down slightly from that of the main roof, ensuring visual subservience towards it is maintained and also breaking up the roof line to prevent it appearing monotonous in its extended form. The eaves height of the roof matches the main roof, creating visual continuity, whilst the wall and roof materials match those employed on the existing building.

It is not considered that the extension is adversely impacting upon the amenities of neighbouring residents. Although it has been built fairly close to the northern site boundary, it is no closer to the boundary than the original dwelling and, given its modest height, it is not considered that it appears overbearing towards neighbouring properties or causes undue levels of overshadowing. The extension features a number of fenestrations, all of which are at ground floor level and any views from them towards neighbouring properties are largely obstructed by existing site boundary treatment, safeguarding the privacy of neighbouring residents.

It is therefore recommended that the application is approved.

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 it has been deemed that it would have a neutral impact 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

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:-

11/3873/2 Revision B;

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.

- 2 **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: GEN2, GEN7, DEV19

NATIONAL POLICIES: NPPF

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