

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

REF NO: FG/64/25/HH

LOCATION: 4 Sea Lane  
Ferring  
BN12 5DS

PROPOSAL: Proposed flat-roof single storey rear extension, proposed elongated windows to western elevation, erection of double carport to replace garage and new front gate.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above.

**RELEVANT SITE HISTORY**

FG/129/24/HH	Proposed rear extension and first floor loft extension with associated re-roofing works, alterations to existing porch and cladding.	ApproveConditionally 16-12-24
FG/203/21/PL	Erection of 1 No. 2 bed single storey dwelling to rear of existing dwelling (Resubmission of previously approved FG/168/18/PL). This application is in CIL Zone 4 and is CIL liable as new dwelling.	ApproveConditionally 13-01-22
FG/148/08/	Erection of new bungalow with access off Ferring Street.	ApproveConditionally 18-12-08

**REPRESENTATIONS**

Ferring Parish Council - No response received.

1 letter of objection was received and the key points are summarised below:

- Proximity to boundary.
- Overshadowing.
- Disturbance caused by motorised gate.

Comments noted and addressed in the conclusions section.

**CONSULTATION RESPONSES RECEIVED:**

None.

## POLICY CONTEXT

Within an area with potentially high groundwater levels.

### 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)

### 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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## CONCLUSIONS

### BACKGROUND

The proposed development seeks planning permission for multiple elements including the construction of a boundary wall and gate to the front boundary of the application site. During the course of this application, the applicant has confirmed that the gate would not restrict access to the new property to the rear of the site, currently under construction and approved under application reference FG/203/21/PL. Furthermore, amended plans were sought and received during the course of this application to correct the annotations on the elevational drawings of the proposed car port, to accurately reflect the orientation of the car port as shown on the submitted block and floor plans.

### DESIGN AND VISUAL AMENITY

The site is a single storey detached dwelling along Sea Lane. The proposal includes the addition of a flat-roof single storey rear extension with lantern roof light, proposed elongated windows to western flank elevation, erection of a double carport to replace the existing garage to the front of the site and new motorised front gate. The rear extension is proposed to the south of the dwelling and is therefore not visible from the street scene. The carport and front gate would be highly visible from the street scene.

The proposed single-storey rear extension would not be visible from the street and would have a depth of 5.4m, a width of 5.8m, an eaves height of 2.4m, and a maximum height of 3.4m. To the rear (south) elevation, the extension would include a bi-fold patio door. The extension would have a flat roof with one lantern roof light serving the ground floor. The materials for the walls are brickwork with render. The rear extension would retain the character of the host dwelling by featuring similar materials and would not appear out of place within its context.

The car port would be situated to the north west of the plot and would measure approximately 5.7m wide, 7m deep, with a pitched roof, an eaves height of 2.1m, and a maximum height of 3.6m. It will replace an existing detached garage situated to the north east of the plot. The proposed car port would not negatively impact the street scene or detract from the character of the area. It would not harm visual amenity, in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

The proposed roller shutter gate would measure 7.8m in length and 1.4m in height. The new gateway

would be similar in appearance and scale to other examples in the locality. There would be no adverse impact on the character and appearance of the property or the local area. Therefore, in terms of design and visual amenity, the proposal is acceptable.

The proposed alterations to fenestration are small in scale and would not result in harm to the character of visual amenity of the host dwelling, street scene or wider area, in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

The proposal would not result in harm to the character of the area and therefore is in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP) and the Arun Design Guide.

#### RESIDENTIAL AMENITY

The extension would maintain a boundary distance of approximately 9.6m to the rear (south) boundary and at its closest, the extension would be set in approximately 3.4m from the side (east) boundary, noting that this is no less than the existing distance between the host dwelling and the neighbour to the east. Given the boundary distances and the high fence line, the proposed rear extension would not result in any overbearing or overshadowing impacts to the neighbour to the east. The extension would not extend beyond the existing rear projection to the western aspect of the rear elevation, thus the proposed extension would not result in any harm to the neighbour to the west. The addition of the bi-fold patio door within the rear elevation of the extension serves the rear garden space therefore does not give rise to overlooking effects of neighbouring amenity.

The car port would be set in a minimum of 0.2m from the side (west) boundary, shared with the neighbour at 2 Sea Lane. The car port would have an eaves height of 2.1m which would not be significantly higher than the existing boundary treatment along the western side boundary. Furthermore, the car port would be an open structure, and given that the neighbour to the west is set in from the shared boundary with the application site and the eaves height and siting of the proposed car port, the car port would not result in unacceptable overbearing, overshadowing, or overlooking effects to the neighbour to the west. Given the spacing maintained between the car port and the neighbour to the east, this element would not result in any harm to the neighbour to the east.

The gate would not cause any overbearing, overshadowing, or overlooking effects due to the nature of the development. While there are neighbour concerns regarding disturbance caused by the automated gate, an automated gate would not result in significant noise and disturbance such that it would justify the refusal of planning permission in this regard.

The proposed elongated windows are additional and replace two roof lights in a similar position. These windows will serve the side (west) elevation, overlooking the host dwellings side amenity patio area. Additionally, there are two new windows on the side (east) elevation, which would provide outlook onto the side driveway. The existing boundary treatments along the eastern and western side boundaries and the spacing maintained between the windows and neighbouring properties would prevent any additional overlooking from occurring from the proposed new and altered fenestration. Therefore, the alterations to fenestration would not give rise to increased overlooking effects.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan in that it would not result in harmful overshadowing, overlooking or overbearing effects on neighbouring properties.

#### SUMMARY

The proposed development 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

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 and Site Plan PL01D
- Proposed Plan & Elevations PL02D
- Proposed Car Port PL03E
- Proposed Boundary Distances PL04B
- Proposed Roof Plan PL05B
- Proposed Gate Plan and Elevations PL06A

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 for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.