

Recommendation Report for Planning Permission

REF NO: FG/65/18/PL

LOCATION: 78 Langbury Lane
Ferring
BN12 6QE

PROPOSAL: Single storey rear side ground floor extension, first floor dormer extension, alterations to east & west doors, change of glass to obscure in all bathrooms, infilling rear dining room glass with brick & relocation of shed.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to the provision of a single storey rear side extension measuring 1.1m by 8.9m in length, an increase in the size and height of the inward looking rear dormer to allow the installation of an internal lift, alterations to east & west doors, change of glass to obscure in all bedrooms, infilling rear dining room glass with brick & relocating the shed to the rear closer to the property.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing/hedging to side boundaries to approx. 1.8m.
SITE CHARACTERISTICS	The site is made up of 2 pitched roofed dormer bungalows joined together with a flat roof infill and flat roof rear extension.
CHARACTER OF LOCALITY	Predominantly residential characterised by detached and semi detached dwellings of varying design, mainly single storey, set back from the road frontage in relatively large plots.

RELEVANT SITE HISTORY

FG/11/86	Outline Application Erection Of One Detached Bungalow And Garage	ApproveConditionally 09-04-86
FG/116/86	Erection Of One Detached Bungalow And Integral Garage	ApproveConditionally 15-12-86
FG/27/74	Alterations & New Conservatory	ApproveConditionally 22-03-74

FG/29/74

Extension To Form Double Garage And Widen Access

ApproveConditionally
22-03-74

FG/66/18/PL

Part change of use for western half of building from
Residential Care Home (C2 Residential Institution) to
residents living together as a single household (C3(b)
Dwelling House)

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council - No comment

10 Objections - overdevelopment of the site

- unneighbourly
- Looking back to when change of use was first granted, the LPA approved an area for the turning of vehicles and the space not thereafter be used other than as a turning area and the reason given, in the interest of road safety. I don't see how there can be a turning area and parking for 8 vehicles which would surely lead to more parking in Langbury Lane and Brookside Close
- a significant number of residents are concerned
- note the new highway crossover would not be approved
- application should go to committee
- concerned about change of use
- concern regarding building work
- increased traffic
- reduced privacy
- increased traffic, and therefore noise, will cause disruption and stress to all the occupants of Brookside Close
- there are already parking problems

COMMENTS ON REPRESENTATIONS RECEIVED:

This application is not for change of use of the property. The use of the premises is the subject of planning application FG/68/18/PL.

A material loss of privacy would not result from the proposal. Indeed 2 of the existing bedroom windows at first floor would become obscure glazed bathrooms.

The proposed extensions have limited size and do result in an overdevelopment of the site.

The proposed alterations would not in themselves result in an increase of traffic at the site.

A new access is indicated into Brookside Close, but this does not form part of the proposal.

A decision can be made by officers under delegated powers handed down by the Council.

CONSULTATIONS

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection. However, the local Area Engineer has visited the site and confirmed that this additional vehicular crossover in this location would not be approved. It is advised that the applicant consults the Area Office in order to discuss the access details and proposals further. Request conditions are imposed relating to access, car parking and cycle parking.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted. The plans show a new crossover onto Brookside close, this is not part of the planning application as the drive is already in place and the close is an estate road where an application for planning permission for a crossover is not required.

The agent has confirmed a separate application will be made to West Sussex Highways for a dropped kerb.

It would not be appropriate to include the requested conditions since they are not relevant to the extensions and alterations proposed in this application. They relate to the use of the premises which is the subject of a separate application.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
DEV19	Extensions to existing residential buildings
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
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

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October

2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policy 1A of Ferring Neighbourhood Plan is considered relevant to determination of this application.

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

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. In this case, the key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan. Additionally, Policy 1A of the Ferring Neighbourhood Plan is relevant. This requires development to take into account its urban setting and for it to be compliant with relevant development plan policies.

DESIGN AND VISUAL AMENITY

The development maintains the residential character of the buildings and has been designed to be sympathetic to the surrounding buildings with roof and wall features which match the existing building. The rear ground floor extension would not be visible from the street scene due to its position. It would be located behind the existing pitched roofed property. The dormer extension would be visible from the front of the property, but its increased height, length and depth would not result in a size that would adversely affect the visual amenities of the locality. The dormer would still be below ridge height and would not be significantly larger than the dormer on the east side. The design would reflect that of the existing properties and the materials would be similar to the existing. The proposed extensions would be visually integrated with the existing buildings in terms of their appearance and design. Therefore, the proposal is in accordance with Policy 1A of the Ferring Neighbourhood Plan.

The proposal is considered to be in accordance with GEN7(ii) and DEV19(i), (ii) of the Arun District Council Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The extensions are small in size and the dormer is centrally sited on the rear elevation of the building. The single storey extension retains a gap of 2.9m to the boundary at its closest point. As a result of the proposal the only new first floor clear glazed window provided. in the dormer would be 18m from the side boundary a sufficient distance to preclude overlooking. In fact 2 of the current first floor bedroom windows would be obscure glazed as bathroom windows. The layout of the property is being amended to reduce the number of bedrooms from 16 to 10. The amount of overlooking is therefore reduced. The increased dormer is located 18m from the side elevation which would prevent any materially harmful overlooking resulting. it is not considered that the proposal will have an unacceptable overbearing impact on adjacent properties.

The proposal is not deemed to have a significantly detrimental impact on the neighbouring residential amenity of adjoining properties, in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions

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.

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 Block 007C, Proposed Ground Floor Plan 004 C, Proposed Site Plan 008A, Proposed First Floor and Roof Plans 005 B, Proposed Elevations 006 revC.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 3 **INFORMATIVE:**
The local Area Engineer has visited the site and confirmed that this additional vehicular crossover in this location would not be approved.
It is advised that the applicant consults the Area Office in order to discuss the access details and proposals further, please call 01243 642105.
- 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.