

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

REF NO: FG/67/22/HH

LOCATION: 19 Singleton Crescent
Ferring
BN12 5DE

PROPOSAL: Conversion of roofspace to habitable use and addition of dormers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to provide various roof extensions which include 2 hip to gable extensions to the front elevation (south), 1 hip to gable to the rear elevation (north) and 2 side box dormers. Overall, the main ridge of the roof will be extended to the south by approx. 2.5m, to the north by approx. 4.6m, both dormers will run by approx. 8m in length.
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All are required to enable conversion of the roof space to habitable accommodation.

REPRESENTATIONS

Parish Council - Objection

- The scale and mass of the proposed extensions overly dominant on the host dwelling and adjacent properties.
- Overly dominant on street scene.
- Close to eastern boundary and will overshadow neighbours.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within 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

[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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are 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 within the Built-Up Area Boundary will be supported, subject to accordance with other relevant development plan policies. In this case this policy is conflicted for the reasons that the proposal is contrary to the relevant policies in the Arun Local Plan.

Arun recently adopted a Design Guide which 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. Part M is of relevance.

DESIGN AND VISUAL AMENITY

The properties in the immediate area of the application site, to the south of Singleton Crescent are of uniform design and scale. 1 side facing box dormer window is found to the property immediately to the east which faces the application site.

The proposed works will be visible from the street scene and will therefore have an impact on its character. No additional ground floor footprint will be created. Whilst the spatial composition of the site will remain unchanged, the works by reason of their position forward of the existing built form and substantial increase in bulk will not be subservient to the host dwelling.

The dormers either side of the existing roof, create a box like dwelling which is significantly detrimental to the character of the area. Design guidance states that dormers should be of an appropriate scale and where possible located to the rear of the property so as not to have an adverse effect. It is not possible to locate a dormer to the rear of this property given the roof orientation. However due to the length of both dormers, almost full length of the main roof, they will not be appropriately scaled and as such do not accord with policy. Arun Local Plan Policy D DM4 also seeks to protect gaps between dwellings at first floor level so that a terracing effect is not created between dwellings. The proximity of the eastern dormer to its neighbouring property will negatively impact the visual amenity between the two dwellings and it will have the effect of creating a set of semi-detached properties which is harmful in terms of character and conflicts with policy. It is for these reasons that the proposal will have an unacceptable negative impact on the existing character and appearance of the area.

The materials proposed although different from those existing and will not harm the character of the area by reason that similar materials and finishes can be found in the immediate area.

The proposed development conflicts with policies D DM4(b) (e), D DM1 (1) of the Arun Local Plan, Part M of the Arun Design Guide and Policy 1A of the Ferring Neighbourhood Plan, by reason that the proposed works would not be subservient to the host dwelling and would negatively impact the character of the area.

NEIGHBOURING RESIDENTIAL AMENITY

Design guidance states that side extensions at first floor level should be set away from side boundaries by 2m and not encroach on the area set by the 70-degree rule for side extensions. The 70-degree rule envisages a line rising at a 70-degree angle from the boundary. The Parish has commented that the proposal by reason of its proximity to the eastern boundary will overshadow neighbours. The proposed development is expected to breach the 70-degree rule and whilst it is acknowledged that this would result in increased overshadowing of the property to the east, the level of overshadowing would not be so great as to warrant refusal on this ground.

In terms of overlooking, the two dormer extensions have windows facing over the neighbouring properties to the east and west. To the west is an existing dormer window, the separation gap between the existing and proposed windows would be approx.7m. Although measures could be introduced to lower the significance of the level of overlooking, as it currently stands, this would negatively impact the property to the west in terms of perceived loss of privacy to an unacceptable level.

All other windows are either at ground floor level or at first floor level and with views towards the front and rear gardens where they would only achieve views over the public realm or over the property's private amenity space.

The proposed development conflicts with policies D DM4(c) and D DM1(3) of the Arun Local Plan and the Arun Design Guide in that it will produce a negative impact from overlooking.

SUMMARY

The proposed development conflicts with relevant development plan policies and as such is recommended for refusal for the following reasons.

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

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 roof alterations by reason of their scale, design and positioning, would be harmful to the host dwelling and appear incongruous in the streetscene contrary to policies D DM1 (1) ,D DM4 (b)(e) of the Arun District Local Plan, Part M of the Arun Design Guide and policy 1A of the Ferring Neighbourhood Plan.
- 2 The proposed side facing windows on the east and western elevations are likely to give rise to direct overlooking of adjacent properties to the detriment of the amenities of the occupants of these properties in conflict with policies D DM1 (3), D DM4 (c) of the of the Arun Local Plan and Policy 1A of the Ferring Neighbourhood 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) 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.