

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

REF NO: FG/68/19/HH

LOCATION: 4 Elverlands Close
Ferring
BN12 5PL

PROPOSAL: Single storey rear extension to replace existing conservatory and a new dormer window to rear roof slope

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No comment from Ferring Parish Council.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the 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
SDSP2	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

CONCLUSIONS

Principle

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4. The site is occupied by a detached property with front and back gardens in a mixed design area.

Policy

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 locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy 1A of the Ferring Neighbourhood Plan outlines proposals for development located inside the built up area boundary will be supported, provided they are suited to an urban setting and they accord with the provisions of the Neighbourhood Plan and with other relevant development plan policies.

DESIGN AND VISUAL AMENITY

The area is populated by dwellings of mixed scales, types and styles. There are other examples of chalet bungalows also.

Resultant of its location, the proposed single storey rear extension is not visible from the street scene. It has a maximum roof height of approximately 3m, which is approximately 2.4m lower than the ridge height of the proposed host dwelling (if the development were to be completed). The proposed rear extension is not considered to have any significantly harmful impact upon the character of the host dwelling or its locality. Therefore, the proposed rear and side extensions are considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

The proposed roof alterations are not considered to have a significantly detrimental impact upon the character of the host dwelling, or the wider locality. It is noted that the proposed development constructs a dormer window that spans the whole width of the roof, and therefore, the roof alterations are not considered to be subservient to the host dwelling. However, due to its design (set in from the sides, below ridge height and sloping side roof), it is sufficiently well integrated with the appearance of the host dwelling. Additionally, there are examples of similar development within the locality, which is considered to allow the proposal to have no significantly harmful impact upon the character of the locality.

Whilst it is considered that the proposed development is in conflict with D DM4(b) of the Arun Local Plan, it is considered that the proposed development is in accordance with D DM1 and D DM4(a) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly harmful impact on the residential amenities of neighbouring occupiers. This is as a result of its siting and scale allowing no significantly harmful overshadowing of the occupiers of #5 and #3 Elverlands Close. The proposed rear dormer windows provide views into the rear and gardens of neighbouring dwelling. However, the impact on residential amenity is considered acceptable. The bathroom window to the rear needs to be obscure glazed to ensure that the proposal is considered to be acceptable with regards to neighbouring

residential amenity. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun 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 plan FG/EC/03.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The window at first floor level in the on the rear elevation of the building shall at all times be and remain glazed entirely with obscure glass.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1/D DM4 of the Arun Local Plan.

- 4 No cladding shall be erected until details of the cladding have been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policies D DM1, D DM4 of the Arun Local Plan.

- 5 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.