

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

REF NO: FG/72/18/HH

LOCATION: 3 Greystoke Mews
Ferring
BN12 5JL

PROPOSAL: Two storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to erect a two storey rear extension.
SITE AREA	Approx. 362.3sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by predominantly 1.8m high close board fencing.
SITE CHARACTERISTICS	The site is populated by a detached, two storey dwelling.
CHARACTER OF LOCALITY	The area is populated by a mix of housing styles and types.

RELEVANT SITE HISTORY

FG/95/93	Erection of conservatory	ApproveConditionally 26-11-93
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None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No objection.

No representations received from nearby occupiers,

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICES

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

DEV19 Extensions to existing residential buildings

GEN2 Built-up Area Boundary

GEN7 The Form of New Development

[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

[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.

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).

Ferring has a 'made' neighbourhood development plan, of which Policy 1A is considered to be relevant to 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, as stated in GEN2 of the Arun District Council Local Plan. In this case, the key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan and Policy 1A of the Ferring Neighbourhood Development Plan.

DESIGN AND VISUAL AMENITY

By virtue of the siting of the property, the proposed development is readily visible from the recreation ground to the North of the application site. However, the proposed roof development is not considered to have a significantly adverse impact on the established spatial pattern as it is not considered to create an unacceptable sense of enclosure through the establishment of a terracing effect in the area. The proposal is considered to be in accordance with DEV19(v) of the Arun District Council Local Plan.

The proposed extensions are considered to significantly alter the appearance of the dwelling, as a result of their scale. Whilst the proposed Northern extensions are well integrated with the host dwelling, they are not considered to be sympathetic or subservient additions to the host dwelling. This is predominantly as a result of their significant scale and impact on the appearance of the dwelling. Therefore, the proposed development is deemed to be in conflict with DEV19(i) and (ii) of the Arun District Council Local Plan.

As a result of the design of the proposal, there is considered to be a significant impact on the established character of the area, however, it is important to note that the change is not necessarily harmful. The design and style are not considered to have a harmful impact on the established character of the host dwelling as it retains its character as a detached dwelling, and is not considered overdevelopment of the site. The proposed materials are to match those existing on the property, which is considered to allow the extension to harmonise with the dwelling in terms of its design and materials. Therefore, the proposed development is considered to be in accordance with GEN7(ii) of the Arun District Council Local Plan, and Policy 1A of the Ferring Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have a significantly detrimental impact on residential amenity. This is as a result of a multitude of features, but mainly because the proposed development does not extend any further West towards adjacent occupiers, so it is not considered to have a significantly detrimental impact on overbearing or overshadowing at neighbouring dwellings. Additionally, whilst it is noted that there have been changes to the fenestration, there is only one window which could result in a loss of privacy to adjacent occupiers. This window is on the Western elevation, first floor of the proposed extension, but, will be conditioned that these windows will be obscure glazed and non-opening below 1.7m. It is considered that there are no other changes which are considered to result in a loss of privacy at neighbouring dwellings. Resultantly, the proposed development is considered to be 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

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:

- Block Plan
- Proposed Floors & Elevations - 02-02-18 - 12/02/2018

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 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 4 The window on the Western elevation of the proposed extension shall at all times be glazed with obscured glass above 1.7m.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District 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.