

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

REF NO: FG/78/26/HH

LOCATION: 15 Sark Gardens
Ferring
BN12 5QB

PROPOSAL: Demolition of existing garage and erection of a single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Ferring Parish Council - No response received.

1 objection has been submitted by a nearby occupier, raising concerns about the loss of light of light. This objection was submitted before the proposal was amended to include only single storey form, which has also been moved slightly further away from the site boundary.

CONSULTATIONS

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and 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

DESIGN AND VISUAL AMENITY

The site includes a detached two storey dwelling with a detached garage. The proposal is for a single storey side extension, following demolition of the garage.

The side extension would have a depth of 12m, extending in line with the existing front projection and extending 0.7m beyond the existing rear wall. The western flank of the side extension would be staggered. Towards the front of the side extension the width would measure 6.5m; reducing to 6m to the rear. The site boundary with the westerly neighbour (9 Jersey Road) is angled towards the host dwelling;

the staggered western flank ensures that at the closest point, the extension is set in by 1.4m, compliant with Arun Design Guide (ADG) advice for side extensions (a minimum of 1m).

The extension would have a flat roof, with a height of 3m, incorporating two skylights which would be set centrally above the proposed kitchen, compliant with ADG advice for roof lights. Flat roof form is common in the locality; nearby rear extensions, side extensions and outbuildings have been constructed as such. Considering this, and the fact flat roof form has already been established on site (the garage proposed for demolition), the proposal would be in keeping with the character and design of both the host and nearby dwellings. It is also positive to note that a traditional garage door is proposed to serve the side extension, a consistent design feature along Sark Gardens.

However, it cannot be said that the side extension is a subservient addition, given the reduction in rear garden space and the fact the side extension has a frontage of 6.5m, which is just below ADG guidance for side extensions (which should not have a frontage of more than 70% of the original dwellinghouse). In this instance, considering that the dwelling is sited in such a way that makes rear garden space limited and the existing built form of the garage, it is not considered that the lack of subservience is harmful to visual amenity.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal is single storey and as such, any views available would be of the rear garden only, resulting in no harm by way of overlooking. There are two high (1.9m sills) level windows proposed on the western elevation, which would not offer views into 9 Jersey Road.

The side extension is a modest 0.25m greater in height than the existing garage and would be set in from the side boundary by 1.4, as is the existing garage. Considering the slight difference in height and the maintenance of the 1.4m spacing, there would be no resultant harm to neighbouring amenity by way of overbearing impacts.

Given the orientation of 9 Jersey Road, and the existing built form of the host dwelling, there would be no harm by way of overshadowing.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring amenity.

SUMMARY

The proposal is in accordance with relevant development plan policies and is therefore 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 Block Plans 26/5099/1 A
Proposed Elevations 26/5099/5 A
Proposed Floor and Roof Plans 26/5099/4 A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 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 NPPF.