

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

REF NO: FG/84/20/HH

LOCATION: 15 Langbury Lane
Ferring
BN12 6PU

PROPOSAL: Single storey side (east) extension & extension to roofspace to convert to habitable use including rear (south) dormer & side (east) dormer window, 4 No rooflights to front (north) & 1 No rooflight to side (east) elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

FG/86/20/CLP	Lawful development certificate for a proposed dormer window to side (West) elevation.	PP Not Required 17-09-20
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REPRESENTATIONS

No comments received.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

RAILWAY

ADOPTED LOC PLN

CLASS C ROAD

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)

[Ferring Neighbourhood Plan 2014 Policy 1A](#) A Spatial Plan for the Parish**PLANNING POLICY GUIDANCE:**

NPPF National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be 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.

This application does not include the west elevation dormer labelled as 'permitted development works' on the plans which has been granted approval under application FG/86/20/CLP.

DESIGN AND VISUAL AMENITY

The new extension would present to the street scene as a single storey extension to the side of the existing house. The roof dormer would be at the rear of the property only and as such would have a limited impact. The development could reasonably be described as subservient to the existing dwellinghouse due to the roof height of the extension being the same as the main roof height. The development is generally thought to be of a reasonable scale compared to neighbouring dwellinghouses.

RESIDENTIAL AMENITY

The proposed side extension by virtue of its scale and design would not impact on the neighbouring dwellin in terms of a loss of light or an overbearing impact. However the side facing eastern elevation would have a window in it which has the potential to overlook 11 Langbury Lane and therefore it is proposed to impose a condition requiring the window to be obscure glazed and fixed shut.

The rear roof dormer would overlook directly onto the garden and the railway line beyond that and the rooflights onto the highway and would therefore not lead to unacceptable overlooking.

SUMMARY

The proposed development is considered to comply with the Local Development Plan and 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:

Proposed Elevations dwg.no.FG/LL/04 dated July 2020
Proposed Floor Plans dwg.no. FG/LL/03 dated July 2020

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 upper windows on the east elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening up to 1.7m above finished floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 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.
- 5 **INFORMATIVE:** This planning permission does not include the west elevation dormer marked on the plans as 'permitted development works' which is subject of approved application FG/86/20/CLP.