

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

REF NO: FG/93/19/HH

LOCATION: 3 Lamorna Gardens
Ferring
BN12 5QD

PROPOSAL: Rear single storey extension and alterations to roof to facilitate loft enlargement including increase to ridge height. Amendments sought to plans as passed on application FG/217/18/HH

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks consent for a similar to scheme to previously approved FG/217/18/HH. These include a change in materials, a re-designed rear roof design, and an insertion of a new window on the Northern elevation of a dormer.

RELEVANT SITE HISTORY

FG/217/18/HH	Rear single storey extension and alterations to roof to facilitate loft enlargement including increase to ridge height	ApproveConditionally 04-04-19
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Parish Council - No comment.

No representations received from occupiers of nearby dwelling.

CONSULTATIONS

Natural England

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
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 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 SD SP2 of the Arun Local Plan. 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.

DESIGN AND VISUAL AMENITY

Due to the recently approved application FG/217/19/HH, this application will consist mainly of considerations of the differences between this application, and that previously approved.

The application site is in an area populated by dwellings of mixed scales and character. The area is reasonably open, as the gardens back out onto the beach. Therefore, all elevations of the host dwelling are visible from public amenity land. The most impactful visual change is the change of the materials at the site, to have rendered walls, slate roof tiles, and cedar clad dormer faces, and cheeks. Whilst this will result in a dwelling significantly different to those in the area, due to the character of the area being so varied, it is not considered to result in any significantly harmful impact upon the locality.

The proposed change to the roof is at the rear of the dwelling, and therefore, the change will mainly be visible from the public area to the rear, and the gardens of the neighbouring dwellings. It is considered to be an acceptable change, as it appears to be well integrated with the host dwelling as existing. Additionally, the proposed development removes the need for a previously applied condition requiring installation of glazed screens to the East and West, however, in a way that is considered to be attractive, and have design merit.

The proposed alterations to the scheme are not considered to remove the conflict with D DM4(b) of the Arun Local Plan, however, the proposal is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact on neighbouring dwellings, as a result of its aspect, and siting within the plot. The proposal, when compared to the previously approved scheme is considered to remove the requirement for the installation of obscure glazing panels on the Eastern and Western elevations of the balcony, in that the roof alteration now prevents said views that were deemed to be unacceptable. However, the window on the proposed dormer, on the Eastern roof slope of the building is still considered to result in direct overlooking of the neighbours property, and therefore, a condition will be applied to ensure that the window serving the proposed dormer will be obscure glazed and non-openings below 1.7m. This is considered to be reasonable, as the room is also served by large glass doors that can provide views out of said bedroom, and small windows inserted into the cheeks of the dormer.

It is considered that with the imposition of said conditions, the proposed development is 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

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 - 27/11/19 - DS/LAMORNA/07/REV. 1
- PROPOSED GROUND FLOOR PLAN - AMENDED - 04/08/2019 - DS/LAMORNA/03
- PROPOSED FIRST FLOOR PLAN - AMENDED - 04/08/2019 - DS/LAMORNA/rev2
- ROOF PLANS - 04/08/2019 - DS/LAMORNA/06
- NEW PROPOSED ELEVATIONS - AMENDMENTS - 04/08/2019

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 windows on the proposed dormer, on the Eastern roof slope of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening, below 1.7m to internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 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.