

PLANNING APPLICATION REPORT

REF NO: FG/90/21/HH

LOCATION: 1 Sea Drive  
Ferring  
BN12 5HD

PROPOSAL: Erection of addition of second floor, part single, part two storey extension and wrap around terrace

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	<p>The application proposes the retention of the existing footprint of the building. Demolition of the front sunroom will be carried out and an infill single storey extension is proposed in the south eastern corner of the property. The property will undergo extensive external changes.</p> <p>The existing roof structure/first floor of the property will be removed and new first and second floor structures added to the retained ground floor. A proposed third storey will be added.</p> <p>The resultant appearance/materials of the building will be modern. Wrap around balconies/terraces will be added to the first and second floors affording views to the east and partial views to the south. The scheme has been amended to delete a terrace on the west side of the property.</p>
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<b>RELEVANT SITE HISTORY</b>
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FG/198/16/PL	Demolition of existing house with erection of 2 storey building comprising of 8 No. residential 2 bedroom flats & associated external works	ApproveConditionally 31-08-17
FG/88/11/	Single storey extension	ApproveConditionally 07-09-11
FG/12/05/	New pitched roof dormer window to existing en-suite bathroom	ApproveConditionally 23-03-05

**REPRESENTATIONS**

Ferring Parish Council:

Objection due to overdevelopment, overlooking and overshadowing of the neighbouring property. Additionally it has an unacceptable impact on the strategic gap.

14 letters of objection (including Ferring Conservation Group)

- Loss of privacy from overlooking on the neighbours.
- Overdevelopment with an overbearing impact on the neighbourhood.
- Out of keeping and detrimental impact on the street scene and character of the area.
- Proposal clearly not subservient to the exiting dwelling and change whole concept of the existing dwelling. Contrary to policy D DM4 of the Arun Local Plan.
- Materials will be out of keeping.
- Plans incorrectly drawn and notice has not been served on the neighbour.
- Agents statement rebutting objections submitted is incorrect and was prepared by an ex Arun District Council planning employee.

5 of these objections were received following amendments to the proposal.

Officer response - There is sufficient information by way of plans and photographs to determine this application. At the time of making this application the applicants were not the rightful owners of the property. Notice was served on now previous owners. The site is claimed to be wholly in the ownership of the applicant.

1 letter of support

The agent has submitted a 4 page statement addressing the objections made above. A full copy of the statement is contained in the Council's web site under this application reference.

**CONSULTATIONS**

**CONSULTATION RESPONSES RECEIVED:**

None.

**POLICY CONTEXT**

Designation applicable to site:  
Within the Built Up Area Boundary.

**DEVELOPMENT PLAN POLICIES**

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
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:**

NPPDG	National Design Guide
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****INTRODUCTION**

The application proposes the retention of the existing footprint of the building. Demolition of the front sunroom will be carried out and an infill single storey extension is proposed in the south eastern corner of the property. The property will undergo extensive external changes. The existing roof structure/first floor of the property will be removed and new first and second floor structures added to the retained ground floor. A proposed third storey will be added. As a result, this application has been submitted as a House Holder (HH) application and not a PL prefix application which would have been the case where a complete demolition and replacement dwelling had been proposed.

The application property is a substantial detached 2 storey chalet bungalow with a front elevation width of 19.5 metres on Sea Drive and a side elevation width facing onto Sea Lane of 12 metres. The property has a two storey gable end element adjacent to 3 Sea Drive, there are rooms accommodated within the roof as a first floor level of accommodation. There are ground floor extensions to the front and sides of the property.

It is set within a large plot with gardens to the side & rear. An in and out driveway provides 2 accesses onto Sea Drive which is a private road. The property occupies a very prominent position on a corner plot at the junction of Sea Drive and Sea Lane, a local connecting route leading from Ferring to the beachfront.

The immediate locality is a residential area within 50 metres of the beachfront. The site is within the built up area boundary next but not in the strategic gap between Ferring and Goring.

The character of the area is of a mix of dwelling types including 2 storey detached houses and apartment blocks. The property opposite, 1- 9 Sea Drive (Blue Waters), is a substantial 2 storey flatted development. It is noted however that there are no three storey properties in the immediate locality.

**SITE HISTORY**

Planning permission was granted in August 2017 (reference FG/198/16/PL) for the demolition of the existing house and replacement with the erection of a 2 storey building comprising 8 no. 2 bedroom flats & associated external works. The approved appearance of that building was contemporary as proposed in this case and therefore needs to be given considerable weight when considering the merits of the proposed scheme.

Since the time of that decision, the Council has adopted the Local Plan (2018). This contained detailed policies on design within the development plan. It has also adopted a Design Guide (2021). There have also been changes that relate to design in the NPPF (2021) and a National Design Guide has been published.

**PRINCIPLE**

In this case, the key policies are D SP1, D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1A of the Ferring Neighbourhood Development Plan applies.

Policy D SP1 requires that all development makes efficient use of land and reflect the characteristics of the site and local area.

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 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.'

Further guidance from the Arun Design Guide (ADG) and the National Planning Policy Framework (NPPF) is relevant and referred to below.

#### DESIGN/VISUAL AMENITY

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments are expected to complement the existing character and appearance of host buildings and respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials. Part M of the guide (Household extensions) states that extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form.

Paragraph 130 of the NPPF states that decisions should ensure that development adds to the overall quality of the area, is visually attractive and sympathetic to the local character. Para 134 states that development that is not well designed should be refused. However, it does also state that significant weight should be give to development that reflects local design policies and /or outstanding or innovative designs that promote high levels of sustainability or help to raise the standard of design.

The proposal will not result in the overall height of the existing property being increased. The proposed third storey will be kept within the existing maximum height of the host dwelling. However, it is acknowledged that the mass of the third storey is significantly greater than the existing dwelling that has a pitched roof down to ground floor on the front and rear elevations.

Similarly the footprint of the existing dwelling will not be exceeded by the works proposed and indeed the front elevation will be reduced in depth by the demolition of the sunroom.

Development plan policies require that proposals reflect local character. The appearance of neighbouring properties in the area is mixed where all of the dwellings are 1.5 and 2 storey. In this regard the proposal differs in that it will result in a dwelling three storeys high. However, there are mitigating factors that make this acceptable and not a reason, on its own, to refuse the application.

The mitigating factors are one that the total height of the resultant dwelling will not exceed that of the

existing dwelling and secondly the second floor is significantly set in from its south, north and east elevations. Taking these factors into account, whilst the modernisation/scale of works proposed will alter the appearance of the existing dwelling and introduce a larger dwelling, it will not be to an extent that it will appear so prominent when viewed from surrounding points so as to warrant a refusal on these grounds.

The contemporary design would accord with the general character of the area which is mixed in character and the proposed property will largely resemble in appearance that opposite known as Blue Waters, a two storey development of flats.

The extension and balconies proposed appear well integrated and sympathetic in design to the host dwelling. This is through the fact that the extension is single storey and its appearance mirrors all the other changes to the host property. The balconies complement the modern design and reflect balconies found in other neighbouring properties.

However, it needs to be recognised that the changes will transform the appearance of the existing dwelling and conflict with policy D DM4 (a) & (b) where development is expected to be visually integrated with the existing building. Due to the significant change in appearance proposed, the proposed works are not visually subservient to the existing dwelling and in conflict with D DM4 (a) & (b). However, given the siting described above the development sits comfortably within the size of the plot, which is large and does not appear as an overdevelopment on site.

The proposal is therefore not considered to result in an unacceptable adverse appearance on the street scene, or result in a harmful impact upon the host dwelling in accordance with policies D SP1 and D DM1 of the Arun Local Plan, policy 1A of the Ferring Neighbourhood Plan and relevant advice in the Arun Design Guidance and NPPF.

#### RESIDENTIAL AMENITY

A wrap around terrace around east and south elevations is proposed. There will be no issues of unacceptable overlooking to the east and south as views here will be to the road where the host property already enjoys views from windows in the roof space.

The rear elevation of the property has the potential to overlook the side and rear garden of the neighbouring property to the north 108 Sea Lane. The Arun Design Guide (ADG) has advice about protecting the amenities of occupants and neighbours in terms of privacy.

Figure 150 of the ADG advises a back to back distance between neighbouring dwellings of 21 metres. The distance between the proposed rear of the site and the side and rear garden of 108 Sea Lane is 27 metres which is sufficient to prevent any loss of privacy from overlooking.

#### CONCLUSION

In taking the above into account the proposal will result in a degree of harm but this is not substantial. Permission is therefore recommended subject to the following conditions.

<b>HUMAN RIGHTS ACT</b>
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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.

#### **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:

2048/S/00A - Site Location Plan.  
2048/PL/001A - Site plan.  
2048/PL/010A - Proposed Site Elevations.  
2148/PL/01 - Ground Floor plan.  
2148/PL/02A - First Floor plan.  
2148/PL/03A - Second Floor plan.  
2148/PL/05A - Front & Rear Elevations.  
2148/PL/06A - Side Elevations.

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 Construction hours on site shall only be between 08:00 hours and 18:00 hours Monday to Friday, between 09:00 hours and 13:00 hours Saturday and at no time on Sundays, Bank or other Public Holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and

QE DM1.

- 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.

#### BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

**FG/90/21/HH - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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