

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

REF NO: FP/100/19/HH

LOCATION: 40 Leverton Avenue
Felpham
PO22 7RA

PROPOSAL: Two storey extension to rear of property and garage to side

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey side extension to the existing garage and a two storey rear extension.
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RELEVANT SITE HISTORY

FP/191/18/HH	Single storey rear extension (resubmission of FP/123/18/HH).	ApproveConditionally 30-10-18
FP/123/18/HH	Single storey rear extension.	ApproveConditionally 13-07-18

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Felpham Parish Council provided no objection.

1 letter of representation from a nearby occupier. The letter states no objection but raises points to be addressed.

- The garage wall is a party wall and not mentioned on the drawing.
- In front of the garage is a man hole cover which may be covered by the extension and will prevent access.

Comments noted. The party wall is a private matter and the man hole cover will be dealt with under Building Control.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
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)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Felpham has a 'made' Neighbourhood Plan with policy ESD1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The development will extend the garage to the front and this part of the proposal is visible from the street scene. The existing garage is set back from front of the dwelling and the development will extend it 6.5m. This will sit 1m behind the principal elevation with a width of 4.75m to match the existing garage behind and a height of 2.75m.

The surrounding area is mixed in appearance and the alteration is not considered out of character. Matching materials will be used, with the garage rendered to the side elevation to match the first floor of the host dwelling. A garage door will be retained which is in keeping with neighbouring properties.

The proposal is not considered to adversely impact the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The two storey extension will extend 4.6m. This will match the existing dwelling in height at 7.75m and eaves at 4.75m. This extends only slightly beyond the rear of No.42 and retains 1.4m to the eastern boundary.

The neighbouring property at No.42 has a ground floor window to the western elevation. The development would extend beyond this and therefore may give rise to overshadowing. This is however not considered significant due to the size and siting of the window in such that it is a small high level

window and is not the main window to the room with double doors to the rear. The extension also does not intersect a 45 degree angle when viewed from the centre of the ground floor rear openings.

There will be 2 windows to the rear first floor however these replace existing windows albeit increased in depth. These will not give rise to adverse overlooking with no direct views in neighbouring properties and 16.5m retained to the rear and 4.8m to the west.

There will be 1 additional window to the western elevation at 1st floor level however due to its siting and its purpose in such that it serves a landing it is not considered to give rise to adverse overlooking. There will also be an additional window at first floor to the east serving a bedroom however again due to its siting is not considered to provide adverse overlooking.

The proposal is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overbearing and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is 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

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
- Location and Block Plan - 005
 - Proposed Floor Plan - 002
 - Proposed Elevations - 001

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 **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.