

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

REF NO: FP/103/18/HH

LOCATION: 10 Overdown Road
Felpham
PO22 7HW

PROPOSAL: Removal of existing conservatory & erection of single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Approximately 1.8 metre high close boarded fencing and 4.0 metre high planting to the common boundary of adjoining property number 8.
SITE CHARACTERISTICS	Detached 2 storey property. The property features white render at ground floor and painted horizontal timber boarding at first floor level to front . White render at both first and ground floors to rear. Conservatory to rear.
CHARACTER OF LOCALITY	Predominantly residential comprising detached two storey dwellings and bungalows of various designs and styles.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council
Felpham Parish Council - Do not object.

COMMENTS ON REPRESENTATIONS RECEIVED:

Representations noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:
Built up Area.

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN12	Parking in New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
SD SP2	Built -Up Area Boundary
D DM4	Extensions & Alterations to Existing Buildings
T SP1	Transport and Development

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The relevant policies in Felpham Neighbourhood Plan 2013-2029 are:

ESD1: Design of new development

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONSIDERATION OF ALTERNATIVE SITES

CONCLUSIONS

This application seeks planning permission for the demolition of the existing conservatory and erection of

a single storey rear extension.

The principle of development is acceptable within the built up area boundary in accordance with policy GEN2 of the Arun District Local Plan subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are deemed to be GEN7 and DEV19 of the Arun District Local Plan, Policy ESD1 of the Felpham Neighbourhood Plan and guidance within the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The existing dwelling is located close to other properties on the junction of Wandleys Lane and West Walberton Lane, but represents the westerly extent of residential development along this part of Wandleys Lane. the site is flanked by agricultural fields to the west and by residential property Larchfield to the east.

Officers note policy DEV19 of the Arun District Local Plan in which Criterion (ii) which states that:

'the extension is visually subservient to the main dwelling.'

The proposed rear extension would not be visible from within the streetscene or affect the front appearance of the dwelling. As the proposed rear extension would be single storey it is considered that it would be visually subservient to the application dwelling. From an assessment of the plans and Officer's site visit the proposed single storey rear extension, would be acceptable in design terms as it would be of a size and scale that harmonises with the original dwellinghouse. Therefore the proposals would not be unduly prominent or out of keeping with the design and external appearance of the application dwelling.

The proposed external materials are as follows:

Walls: EXISTING: render and colour wash. PROPOSED: render and colour wash (to match existing)
 Roof: EXISTING: tiles (to main roof of dwelling) felt (to roof of single storey element) PROPOSED: felt
 Windows/Doors EXISTING: uPVC PROPOSED: uPVC

A condition requiring the materials to match (apart from felt roof), those used in the external appearance of the existing dwelling, will be imposed upon any grant of planning permission. Officers consider that, from an assessment, the proposed materials would be appropriate.

Therefore, it is considered that the proposed rear extension would not have a materially harmful effect upon the street scene of the wider area.

The proposed extension is considered to accord with Policies GEN 7 criteria (i), (ii), (v), (vi) and DEV 19 Criteria (i), (ii) and (v) of the Arun District Local Plan and Policy ESD1 of the Felpham Neighbourhood Plan

RESIDENTIAL AMENITY

The proposed single storey rear extension would be set off the common boundary of adjoining property 8 by approximately 1.15 metres and would be screened by the existing 4.0 metre high planting and 1.8 metre high close boarded fencing to the common boundary of adjoining property number 8. The

proposal would be set off the common boundary of adjoining property number 12 by approximately 5.0 metres and would be screened by the side elevation of the existing detached, pitched roof garage.

While the proposal would have a depth of approximately 4.8 metres it would only extend past the rear elevation of adjoining property number 8 by 2.8 metres. From the Officer's site visit it was not possible, with out access to the site, given the screening to the common boundary what windows, if any are present in the side and rear elevations of adjoining property number 8. However, the applicant has shown, on the submitted plans, a window in the rear elevation of adjoining property number 8. Applying the 45 degree rule Officers consider that no loss of light would occur. While Officers cannot confirm that the location of the aforementioned window is accurately shown, it is considered that having regard to absolute worst case scenario no detrimental loss of light would occur.

Additionally the proposal would be set in from the rear boundary by approximately 18.5 metres and the rear elevation of the properties to the rear by over 40.0 metres.

As such, it is considered that the proposed development would not have a detrimental impact on the residential amenity of the occupiers of neighbouring properties with regard to overlooking, overbearing effect, overshadowing and loss of light/sunlight.

The proposed extension is considered to accord with policies GEN7 criterion (iv) and DEV 19 Criterion (iii) of the Arun District Local Plan 2003.

HIGHWAY SAFETY AND PARKING

The proposed rear extension would not alter the existing off-road parking arrangements. From an assessment of the plans and the Officers site visit it is considered that there would still be sufficient parking to serve the development.

The existing access, to the front of the site, would continue to be used. Therefore it is considered that no highway safety issues would occur as a result of the proposed development.

As such, it is considered that the proposal would comply with Policies GEN7 criteria (vii) (viii) and DEV12 of the Arun District Local Plan 2003.

It is recommended that the planning application is granted subject to the following conditions:

Time Limit - 3 years
Approved Plans
Materials

HUMAN RIGHTS ACT

FOR APPROVAL

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
Sheet 1 of 3, Sheet 2 of 3 and Sheet 3 of 3.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies DEV 19 and GEN 7 of the Arun District Local Plan.
- 3 The materials and finishes of the external walls of the buildings hereby permitted shall match in colour and texture those of the existing building(s).

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.