

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

REF NO: FP/106/18/HH

LOCATION: 29 Roundle Avenue
Felpham
PO22 8LL

PROPOSAL: Two storey rear extension & new front dormer roof window.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to alter the existing chalet bungalow by way of a two-storey extension to the rear, and a front dormer.
SITE AREA	Approx. 556.8sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The proposal is open plan to its front elevation, with close boarded 1.8m fencing to the rear.
SITE CHARACTERISTICS	The site is populated by a link-detached chalet bungalow.
CHARACTER OF LOCALITY	The area is populated by similarly designed and scaled dwellings. The properties in the area are predominantly detached bungalows, or linked detached bungalows.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council

Parish Council - No objection subject to obscure glazing on the bathroom window.

Nearby occupiers - Objection on grounds of design approach, residential amenity, loss of outlook, loss of light and loss of privacy.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Representation comments will be addressed in the conclusion.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

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

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

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

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
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

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).

Felpham has a 'made' neighbourhood development plan, of which Policy ESD1 is considered to be relevant to this development

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties. It is also considered that it would have an adverse impact upon the established character the dwelling.

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.

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 GEN2 of the Arun District Council Local Plan. In this case, the key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan and Policy ESD1 of the Felpham Neighbourhood Development Plan.

DESIGN AND VISUAL AMENITY

The proposed front dormer of the proposal measures 3.1m deep, 2.9m height and 3.5m wide. It is therefore considered to be a significant addition to the host dwelling as a result of its massing and scale. Firstly, the massing of this dormer projects 3.1m from the existing roof slope, which is only 0.6m shallower than the Eastern projection of the development (which forms the living room of the current dwelling). This is considered to have a significant impact on the appearance of the dwelling in the street

scene as the spatial pattern of the development has been altered. With regard to its siting and scale, due to the depth of the dormer, it meets the existing eaves line of the host dwelling, which is deemed to have a detrimental impact on the visual amenity of the host dwelling, and cause the front dormer to appear as a prominent and obtrusive feature.

Due to the siting of the two storey extension, it is considered that the proposed rear extension has no significantly detrimental impact upon the wider locality of the area in itself, as there are few viewpoints of this aspect of the application from the street scene. This proposed rear extension extends 3m beyond the existing ridge height and rear elevation of the host dwelling to effectively 'stretch' the existing bungalow. This is not considered to be a sympathetic or subservient addition to the host dwelling, as with the addition of the proposed rear dormers, the extension totals a 5m protrusion from the existing roof slope of the host dwelling. The proposed roof alterations change the roof shape to remove the hipped end and replace with two gable ends. The break in uniformity is considered to have a harmful impact on the spatial pattern of the development. Despite this, as this feature is only prominent in few circumstances, alone, it would not form as grounds for outright refusal. However, with the addition of the front dormer and the roof alterations, the cumulative impact of the overall development is considered to have a significantly damaging impact on the character of the area and the host dwelling.

Resultantly, the proposal is considered to be in conflict with GEN7(ii), DEV19(i), (ii) and (v) of the Arun District Council Local Plan. Additionally, it is in conflict with ESD1 of the Felpham Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in a loss of privacy to adjacent occupiers. This is because there is only one new window which could be considered to result in a loss of privacy, and it would be conditioned to remain obscure glazed and non-opening below 1.7m. The other new windows either face the street scene, or West into the garden, where there are already rear windows on the existing dormer and therefore are not considered to cause any additional impact in terms of overlooking or loss of privacy.

The proposed development extends 3m beyond the existing rear elevation of the property. The host dwelling is already set back 2.3m when compared to the neighbouring dwelling. The total projection from the existing roof slope is 6.1m (due to the rear dormers extending 3.1m from the proposed roof slope). This is considered to have a significantly detrimental overbearing impact and loss of light on the occupiers of the adjacent dwelling. This is because then the proposed two storey extension would extend 5.3m behind the rear elevation of the adjacent property to the North, causing a significant loss of light to a principle habitable room at this property.

Subsequently, the proposed development is considered not to be in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

Therefore, it is considered that this application be refused for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed two storey extension by virtue of its scale, siting, size and proximity to the boundary will have an unacceptable overbearing and overshadowing impact upon the neighbouring property, Freefolk Cottage (31 Roundle Avenue), in conflict with policies GEN7 and DEV19 of the Arun District Local Plan, ESD1 of the Felpham Neighbourhood Development Plan and the National Planning Policy Framework.
- 2 The proposed front dormer as a result of its design, siting, massing and scale is considered to have an unacceptable incongruous impact upon the character and appearance of the host dwelling in conflict with policies GEN7(ii) and DEV19 (i), (ii) and (v) of the Arun District Local Plan; EDS1 of the Felpham Neighbourhood Development Plan; and the National Planning Policy Framework.
- 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.