

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

REF NO: FP/109/20/HH

LOCATION: 19 The Midway
Felpham
PO22 7HA

PROPOSAL: Summer house in the front garden.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a summerhouse to the front garden of the property.

REPRESENTATIONS

No objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

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

[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 key policies considered are D DM1 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 proposal is located to the front garden of the property around 2.35m from the boundary and street scene. The host dwelling is set back around 21m from the front boundary and behind that of neighbouring properties to the north.

As such, the front garden is large and appears to serve as the predominant private amenity space for the property with sufficient hedging and trees to the front of the property to screen the view. As a result of the boundary treatment the outbuilding is largely restricted from view.

The outbuilding will be modest in size and is of wooden construction with a small pitched roof.

Due to the modest size and sufficient boundary treatment, the outbuilding is not considered to appear unduly dominant within the street scene and as such accords with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The outbuilding will have a width of 2.13m and a depth of 3.66m. It will have a height of 2.3m with eaves to 1.8m. The outbuilding retains around 4.3m to the northern boundary and 9m to the southern boundary. As a result of the separation distance and the boundary treatment which again consist of further vegetation, the outbuilding is not considered to result in adverse overbearing or overshadowing.

There are windows and a door to the front elevation, although due to the sufficient separation and its sitings to the front garden, views are not considered additional to that already achievable.

The proposal is not considered to harm amenity and accord with D DM1 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 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 Plan
 - Block Plan
 - Plans
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.