

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

REF NO: FP/10/21/HH

LOCATION: 68 Downview Road
Felpham
PO22 8JA

PROPOSAL: Single storey front porch extension and first floor extension over existing garage (Resubmission of FP/196/20/HH)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above. The extension, with a hipped roof at first floor level would adjoin the boundary with the property to the south. With a front porch to the west elevation with a width of 4.2m and depth of 1.6m

RELEVANT SITE HISTORY

FP/196/20/HH	Single storey front porch extension & first floor extension over garage.	Refused 09-12-20
FP/68/07/	Single storey rear extension.	ApproveConditionally 02-05-07
FP/136/97	2 bedrooms and bathroom in roof space and access to	ApproveConditionally 07-01-98

REPRESENTATIONS

Felpham Parish Council:
No objection

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Tree Preservation Orders

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)
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
NPPDG	National Design Guide

CONCLUSIONS

PRINCIPLE

In this case, the key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy ESD1 of the Felpham Neighbourhood Development Plan.

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 E SD1 outlines new development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location.

RELEVANT PLANNING HISTORY

FP/196/20/HH was refused due to the oppressive nature of the proposal on the neighbouring property No.66. With the proposal now changing to provide a hipped roof the reason for refusal has not sufficiently been overcome.

DESIGN AND VISUAL AMENITY

The application seeks to construct an extension to the south on the top of the garage to incorporate two en-suites to the current bedrooms at the first floor.

The property has a garage to the side elevation and this will be extended 5.25m in height allowing a first floor to be added which will run alongside the southern boundary with a depth of 5.9m. The extension will have a height which matches that of the ridge of the existing dwelling.

As a result of the size and its siting, the proposal adds bulk to the front/side elevation of the property and will be visible from the street scene. However with the property set back from the road, it is not deemed

to appear unduly dominant. The surrounding area is mixed in design and style and whilst the addition will alter the appearance of the dwelling, it is not considered to result in the dwelling appearing out of character with the area. The materials will also match existing which helps to ensure its integration.

There will be a front porch to the west elevation with a width of 4.2m and depth of 1.6m. This is smaller in scale with a flat roof and considered acceptable.

The proposal, due to the mixed character of the area, set back from the street scene is not considered to adversely impact the spatial pattern or character of the area and accord with D DM1 and D DM4 (a) and (e) of the Arun Local Plan.

Paragraph M.01 of the Arun design guide outlines 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. This can be achieved through the positioning extensions below the roof ridge line of the existing property will also help to create visual subservience. In this regard the proposal is compliant with this section of the Arun Design Guide.

There will be a front porch to the west elevation with a width of 4.2m and depth of 1.6m. This is smaller in scale with a flat roof and considered acceptable.

The proposal due to the mixed character of the area, set back from the street scene is not considered to adversely impact the spatial pattern or character of the area and accord with D DM1 and D DM4 (a) and (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension to the top of the garage will have a hipped roof and will abutt the side boundary.

Due to the size, the proposal adds additional bulk to the side elevation and as a result of the siting of the neighbouring property at No.66 which is located parallel to the host dwelling, it is considered to result in an oppressive and overbearing effect on the amenity no 66 including that of the first floor dormer. The two storey addition will have a significantly detrimental impact on the occupiers at No.66 due to the bulk and proximity resulting in an unneighbourly form of development.

As a result of the siting and size of the development, it is deemed to give rise to unacceptable adverse overbearing impact upon the occupiers at No.66 and as such is in conflict with D DM1 (3) and D DM4 (c) of the Arun Local Plan. Policy ESD1 of the Neighbourhood Plan states that development should be 'appropriate to its location'. The proposal is in conflict with this in so much that the size of the development is not appropriate for its locality abutting the boundary with No.66.

As a result of the siting and size of the development, it is deemed to give rise to unacceptable adverse overbearing impact upon the occupiers at No.66 and as such is in conflict with D DM1 (3) and D DM4 (c) of the Arun Local Plan. Policy ESD1 of the Neighbourhood Plan states that development should be 'appropriate to its location'. The proposal conflict with this in such that size of the development is not appropriate for its locality abutting the boundary with No.66.

The Arun Design Guide in paragraph M.01 expects extensions to preserve the amenity of the original and neighbouring properties in terms of privacy and overshadowing. As such the proposal conflicts with the Arun Design Guide paragraph M.01.

SUMMARY

The proposed development is conflict with relevant development plan policies and as such is recommended for refusal.

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.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

REFUSE

- 1 The extension to the side of the dwelling by reason of its scale and location has a detrimentally harmful impact upon the residential amenities of the property to the south due to its oppressive and overbearing impact in conflict with policies D DM1 and D DM4 of the Arun Local Plan, Paragraph M.01 of the Arun Design Guide and policy ESD1 of the Felpham Neighbourhood Plan.
- 2 **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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.