

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

REF NO: FP/122/18/HH

LOCATION: 3 George IV Walk
Felpham
PO22 8HJ

PROPOSAL: Single storey side & rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension will project out 4 m to the rear and up to within 0.25 m of the side boundaries to a maximum height of 3.8 m (2.4 m at the eaves) built of brick and tile to match the existing.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fences - 1.6 with 20cm trellis on west side Trees at end of garden - substantial evergreen and deciduous hedge about 6m high on east open plan front garden with brick pavers
SITE CHARACTERISTICS	Western half of a two storey semi detached pair built of brick with a concrete tile roof. Open frontage with front garden hard surfaced. Detached garage to side set back behind the house.
CHARACTER OF LOCALITY	Modern residential estate with a Georgian character in design terms. The western boundary forms the rear boundary of properties fronting Downview Road. There is a single storey extension approximately the same depth on the other half of the semi detached pair.

RELEVANT SITE HISTORY

No relevant site history

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council
Felpham Parish Council
No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Within the 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
SD SP2	Built -Up Area Boundary

[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 Felpham Neighbourhood Plan has been made and the relevant policies considered in the determination of this application.

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 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.

CONCLUSIONS

The site is within the urban area boundary where development is acceptable subject to compliance with other policies within the Development Plan.

The extension is appropriately designed and subservient to the main dwelling. Due to the high hedge and fence on the western boundary it will have no adverse impact on the properties to the west and the existing extension to no 5 means there will be no adverse impact on that property by reason of overlooking, loss of light or residential amenities.

The extension to the side would be visible in the street scene however the impact of the garage elevation

would not cause demonstrable harm to the character of the area.

As such the proposal complies with policies GEN 7 and DEV19 of the Arun District Local Plan and ESD1 of the FNDP and policies D SP1, D DM1 and D DM4 of the emerging Arun Local Plan 2011-2031.

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 :
Drawing 1 rev B, drawing 2, drawing 3, drawing 4, drawing 5 rev B, drawing 6 rev B, drawing 7 rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 3 The materials and finishes of the external walls and roof of the extension 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.