

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

REF NO: FP/137/21/HH

LOCATION: 10 The Grove
Felpham
PO22 7EX

PROPOSAL: Creation of new first floor and erection of single storey front porch extension following the demolition of existing garage and rear sun room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The new first floor element will have a part catslide/part hipped roof on the north side with a straight hipped roof on the south. Also hipped to the front and rear. South side first floor windows will be velux windows whilst those on the north side will be in a flank wall. The extensions result in a new total ridge height of 8.4m and 5.6m to the main eaves level. At ground floor there will be a single storey front porch extension (2.8m deep by 3.4m wide with a height of 3.7m but hipped to the side) which includes a 1.6m deep forward projecting canopy with painted timber entrance pillars using the same roof structure. Materials are to be slate effect tiles, matching white render and grey weatherboarding. A new drive area is proposed in the front garden.
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RELEVANT SITE HISTORY

BR/514/79	Proposed 2 Bedroom Bungalow & Single Garage	ApproveConditionally 08-08-79
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REPRESENTATIONS

No Objection.

Two letters of objection from the adjoining neighbours raising the following concerns:

- Overlooking from first floor flank windows;
- Loss of light to adjacent properties; and
- Dwelling size will be out of character.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
CIL Zone 4; and
Flood Zone 1.

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
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
QESP1	QE SP1 Quality of the Environment

Felpham Neighbourhood Plan 2019-31 Policy ESD1

Felpham Neighbourhood Plan 2019-31 Policy ESD7	Quality of Design Felpham Conservation Area
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PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

THE SITE:

Detached bungalow with a very low ridge (4.4m) set in between one chalet bungalow and one bungalow with additional accommodation in the roof, both being much higher than the application property. Rendered with a tiled roof. Existing detached single garage projecting forward and driveway space to the front of this. 1.8m fencing to side boundaries with a 2+m hedge in the rear garden to the south boundary. Both adjacent properties have garages on the affected boundaries which screen their ground floor windows from view.

Residential road comprising a mix of bungalows. chalet bungalow, two and two and half storey residential buildings of different designs and materials. Part of the west side of The Grove diagonally opposite the site is in the Felpham Conservation Area.

RELEVANT POLICIES:

ALP 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 QE SP1 requires development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity.

Policy HER DM3 lists criteria for proposals affecting the setting of a Conservation Area and those relevant are:

- (b) Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area; and
- (f) It does not harm important views into, out of or within the Conservation Area.

In respect of heritage, it will also be necessary to consider paragraphs 194-202 of the National Planning Policy Framework (NPPF) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Arun Design Guide provides guidance that will help raise design standards. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

According to the Design Guide, roof extensions should not be visually intrusive or block light into surrounding properties. They should not detract from the character and appearance of the building and local area. Front extensions should not disrupt building lines, should maintain and enhance frontages, be subservient to the host dwelling, no deeper than 1.5m and respect the space between buildings. The Arun Design Guide also sets out interface distances between houses including front to front and back to back but there are no standards given for either side to side or front to back.

Felpham Neighbourhood Development Plan (FNDP) policy ESD1 states extensions/alterations must be high quality and designed to be sympathetic to the local design style principles and contribute positively to the environment. Policy ESD7 requires proposals affecting the setting of a Conservation Area (CA) have regard to the Felpham Conservation Area Character Appraisal (2016). This describes the building closest to the site that is also in the Conservation Area (Manor Copse) as being a fairly recent addition (approved 2006) and having a neutral effect on the character of the CA.

MATERIAL CONSIDERATIONS:

The applicant could, if they so wished, subject to approval of a prior approval application, extend the property upwards through permitted development rights (Schedule 2, Part 1, Class AA). This would enable an additional floor to be added with new roof above. The scheme as presented would not qualify as permitted development because the roof pitch is different to the existing, there are windows to the sides and the extension is 0.5m higher the permitted development tolerances (4m greater than existing versus 3.5m limit).

The applicant stated they have not utilised permitted development as it was not thought that the massing

and style of the potential house would achieve the design aims or protect the amenities of residential properties. Permitted development rights do not allow for the main entrance to be relocated from the side to the front. However, permitted development rights do remain a potential fall-back option and establish the principle of an additional floor on the dwelling.

HERITAGE ASSETS:

The site lies adjacent to the northeast corner of the Felpham Conservation Area. The proposal complies with the relevant ALP and FNDP policies as the extensions are not to a property in the Conservation Area (CA) and do not result in any harm to the setting of the CA. The building opposite which is in the CA (Manor Copse) is a modern addition and is stated to have a neutral effect. Manor Copse is large and screens out views of the more positive features including the Grade II Listed Manor House, some 150m to the southwest of the site.

The NPPF sets out several steps when considering impact on heritage assets. Para 194 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. There is some conflict here as although the application does acknowledge the Conservation Area, no heritage assessment has been provided.

Para 195 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal, decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in paras 199-202).

Due to the location of the site outside of the CA and screened from its important features by the neutral Manor Copse building, it is considered that the proposal will not result in any harm to the character and appearance of the CA. As such, it is not necessary to consider any public benefits.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal will have a neutral effect on the part of the CA closest to the site and so complies with the relevant policies and the provisions of the Act.

DESIGN:

The first floor extension will not be subservient to the building and the proposal does not integrate with the design/form of the host building. However, regard should be had to the heights (both 1.5 storeys) and different styles of the adjacent properties with no predominant building form or character in the streetscene. It is material, as discussed before, that the height of the building is only 0.5m greater than permitted development tolerances.

The resultant building will add further visual interest to the streetscene and make a more efficient use of the space in the site. The materials are acceptable having regard to those on buildings in the streetscene. The porch is deeper than tolerated by the Design Guide however it will be a subservient feature and is set behind the furthest forward part of the dwelling so has limited impact on the streetscene.

The proposal complies in respect of design with ALP policies D DM1 & D DM4, FNDP policy ESD1 and with the Design Guide.

RESIDENTIAL AMENITY:

The building will be no closer to the adjoining neighbouring properties. Both properties have a garage/store building on the boundary and this along with the existing boundary treatments protects their ground floor side/rear windows from any loss of privacy.

The addition of new first floor flank windows do have the potential to result in overlooking however the applicant has designed the first floor extension to take account of this. The north facing velux have sill heights of 1.7m thus significantly limiting views out of them. These windows serve bedrooms and they each have an alternative window facing front/back. Meanwhile the windows to the south will be obscure glazed and top vent opening only. These all serve either bathroom or a stairway. This will be secured through a condition. There will be no harm to the closest property to the rear (6 The Midway) as this is over 30m away to the east.

The extension has the potential to affect light reaching neighbouring gardens. There will be no harm to no. 8 as the extension is to the north of its property thus having no effect on light from the west, south or east. There will be some limited light loss to no. 12 but this is mitigated by the existing garage building on their property which already provides some shading and the shape of the roof proposed to this side (cat slide) which will still allow sunlight to reach the neighbour when the sun is high in the sky.

The proposal results in some loss of amenity for neighbouring properties but this is not considered to be significant. It is material that the resultant building retains the same building lines and that should the permitted development route be followed instead, there would be no scope to utilise a cat slide roof to limit light loss on no. 12. The proposal complies in respect of residential amenity with ALP policies D DM4 & QE SP1 and with the Design Guide.

PARKING PROVISION:

The Arun Parking Standards SPD requires 3 parking spaces for a 4 bed dwelling in this area. The new front parking area will measure 9m by 6m and has a short length of connecting drive and turning head to the front of the house. It can easily accommodate 3 cars.

RECOMMENDATION:

The application complies with all development plan policies and it is therefore recommended that planning permission be granted subject to the following conditions.

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 0030-SK-001;
Proposed Block Plan 0031-SK-120;
Proposed Ground Floor Plan 0031-SK-100;
Proposed First Floor Plan 0031-SK-101;
Proposed Roof Plan 0031-SK-102; and
Proposed Elevations 0031-SK-200 Rev P3.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a colour schedule of the materials and finishes to be used for the roof of the extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 4 The four first floor windows on the southern elevation of the extended building shall at all times be glazed with obscured glass and fixed to be non opening below a height of 1.7m from the internal floor.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies QE SP1 and D DM4 of the Arun Local Plan.

- 5 No windows (other than those shown on the plans hereby approved) shall be constructed in the first floor side elevations of the extended building hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM4 and QE SP1 of the Arun Local Plan.

- 6 **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.