

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

REF NO: **FP/144/12/**

LOCATION: 39 Davenport Road
 Felpham

PROPOSAL: Proposed new garage, shower and utility room (resubmission following FP/48/12/)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a side extension to provide a garage, shower and utility room (10.6 x 4.6 x 5 metres).
SITE AREA	Approximately 462 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None to front. Close boarded timber fencing to side and rear boundaries, approximately 1.8 metres high, supplemented by planting.
SITE CHARACTERISTICS	Detached, two storey modern dwelling with hip, pitch roof, faced in white pebbledash. First floor balcony on front elevation. Hardstanding to front with parking for 2-3 cars. Existing side lean-to garage.
CHARACTER OF LOCALITY	Predominantly residential comprising a private residential road of detached two storey dwellings of various character and design.

RELEVANT SITE HISTORY

FP/48/12/	Proposed new garage, shower and utility room	Refused 02-05-2012
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REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection subject to satisfactory ditch survey.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[DEV19](#)
[GEN7](#)

Extensions to existing residential buildings
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 application is a re-submission of FP/48/12, which refused consent for a single storey side extension. That application was refused on the grounds that the proposal represented a large extension that failed to integrate visually with the host dwelling and was visually intrusive within the streetscene.

The current proposal follows negotiation. The depth of the proposed extension is reduced by 1 metre and the extension will be set in 150mm from the side boundary adjoining no. 37. The ridge height of the proposed extension will be in line with the eaves height of the property and the front elevation set back 1 metres from the front elevation of the host property. The extension will be faced in block and render with plain roof tiles under a mono pitch roof to match the host dwelling.

On balance, the revised scheme is considered to be less visually obtrusive within the streetscene and the surrounding area at this reduced depth and scale. Further, it is noted that side integral garages are a feature of the surrounding streetscene; a similar side extension was approved at no. 25 Copeland Road in 2007 (FP/1/07).

The previous scheme was found to have no adverse impact on the residential amenities of the neighbouring property to the west at no. 37 Davenport Road by way of overlooking or loss of privacy and daylight. The roofline of the proposed extension will be hipped away from the side boundary and a gap of 150mm will be retained to the common boundary. The rooflights will serve a garage/utility room/bathroom. They are at an angle and positioned high in the roofslope. It is therefore considered that there will be no unacceptable loss of amenity to the neighbouring property.

It is therefore recommended that consent is granted, subject to the conditions outlined below.

HUMAN RIGHTS ACT

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 to 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 (Neutral) 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).

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 2/4 existing elevations and site plan, drawing 3/4 proposed elevations and site plan, drawing 1/4 existing and proposed floorplans, drawing 4/4 proposed section, received on 18 July 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 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.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no dormer windows shall be constructed on the west facing roofslope of the property unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN2, DEV19

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.