

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

REF NO: FP/14/21/HH

LOCATION: 2 Leverton Avenue  
Felpham  
PO22 7RA

PROPOSAL: Removal of existing storage sheds and construction of a self contained annexe.  
This application is CIL liable as self contained annexe in CIL Zone 4.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above.

**RELEVANT SITE HISTORY**

|            |                                                                                                                                          |                                  |
|------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| FP/152/00/ | Single storey extension with dormer window at first floor & replacement of existing flat roof with pitched roof to ground floor kitchen. | ApproveConditionally<br>10-11-00 |
|------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|

**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  
2km Buffer for Site of Special Scientific Interest

**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:**

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

**CONCLUSIONS****PRINCIPLE**

In this case, the key policies are deemed to be 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 ESD1 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.

**DESIGN AND VISUAL AMENITY**

The annexe is located to west of the host dwelling. It is not readily visible from the main street due to its location in the rear garden of the host. This is further reduced due to the garden being raised from street level with fencing. Whilst there will still be some views available they are not considered to be demonstrable to the application.

The outbuilding will have a pitched roof and will be constructed with brick and tile roof. The materials are considered appropriate for the area and match that of the previous structure.

The proposal is considered to align with section J.02 of the Arun Design Guide as the scale of the proposed outbuilding is considered to be of one that is proportionate to the garden size and is not considered to dominate the plot. Whilst the annex will take up the majority of the garden space it is not considered to reduce the amenity space of the dwelling enough to be demonstrable to the application.

As a result of the siting and the structure being predominately a replacement of an existing, the proposal is not considered to result in harm upon the character of the area and as such complies with D DM1 of the Arun Local Plan, and the guidance within Section J and M of the Arun Design Guide.

**RESIDENTIAL AMENITY AND PARKING**

The annexe will have a depth of 5m and a width of 11m. It will have a pitched roof to a height of 5m with the size matching that of the structure that it will replace. Due to its siting, it is not considered to result in an adverse overbearing or overshadowing impact upon amenity, with no neighbours to the eastern elevation and the structure unlikely to be visible from the Caledon Avenue.

The annexe will have 2 windows to the north elevation which face the boundary of the host dwelling.

There will also be windows and French Doors to the to the east which will be installed to the annexe due to their height again they are not considered to lead to any adverse views upon neighbouring amenity. The windows and doors will overlook the garden of the host dwelling.

Due to the size of the building a condition will be applied to ensure the use remains as ancillary to the host dwelling and does not become a separate residential unit.

The site plan associated with the application shows the proposal would meet the parking demand generated by the application, of three spaces. These spaces are accessible through the use of the dropped curb to the side of the site and there is ample space for parking to the front of 2 Leverton Avenue

The proposal due to the size and replacement nature, is not considered to result in harm upon neighbouring 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 infortiage

#### **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 CIL Liable therefore developer contributions towards infrastructure will be £4258 required (dependant on any exemptions or relief that may apply) for 42.58m2 in CIL charging zone 4.

#### **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 Dwg No. 36/21/08
  - Proposed Elevations Dwg No. 36/21/05
  - Proposed Roof Plan Dwg No. 36/21/06
  - Proposed Floor Plan Dwg No. 36/21/04
  - Existing Elevations Dwg No. 36/21/02
  - Existing Roof Plan Dwg No. 36/21/03

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 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 2 Leverton Avenue as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.