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

REF NO: FP/153/18/HH

LOCATION: 61 Limmer Lane
Felpham
PO22 7HE

PROPOSAL: Demolition of one garage, erection of single storey side extension, front porch & 1 No. new window to ground floor west elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above - garage to front /west side to be demolished to make way for single storey side extension with false pitched roof. A new window is to be inserted in the ground floor level of the west elevation and a small open porch constructed on the front elevation.

RELEVANT SITE HISTORY

BR/135/85	Proposed Alterations Of And Extension To Stable To Form Garage	ApproveConditionally 13-03-85
BR/15/65/A	Additions Of Car Port	Approve 21-06-65

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

No objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

Felpham Neighbourhood Plan 2014 POLICY ESD10 Design details

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

The dwelling is a detached two storey dwelling with gardens to the front and rear.

There is site history but it is not significant to this application.

The site lies within the built up area boundary where the principle of development is acceptable in principle. The key policies of relevance are D DM1 and D DM4 of the Arun Local Plan. These policies discuss items such as character and impact and the criteria which apply to residential buildings - such as visual integration and overshadowing/overlooking and overbearing. The relevant policy from the Felpham Neighbourhood Development Plan is ESD1 which seeks well defined development.

The proposed side extension is modestly sized and positioned so there is a 1m gap to the boundary. The position and size of the extension is such that there is no demonstrable harm to the amenities of the immediate neighbour.

The extension and porch would be visible in the street scene, although only from a limited position due to the front boundary treatment. The impact of the development on the street scene is acceptable due to its modest scale and position away from the road.

The addition of the window to the ground floor west elevation would not result in a material increase in the level of overlooking between properties it is likely that the window could be inserted as permitted development.

Given the above it is considered that the proposal complies with policy and therefore it is recommended that the application be approved for the conditions attached.

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:- BW-P-01 and BW-P-02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1of the Arun Local Plan.

3 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.