

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

REF NO: FP/156/24/HH

LOCATION: Marine View
Third Avenue
Felpham
PO22 7LN

PROPOSAL: Removal and replacement of balcony to south facing elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

FP/181/06/	Erection of detached dwelling (Resubmission of FP/250/05)	ApproveConditionally 27-09-06
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REPRESENTATIONS

Felpham Parish Council - No objection, but Councillors query distance of balcony to boundary.

1 No. representation received from nearby occupiers, key points summarised below.

- The new balcony extends beyond the natural line of the building and therefore is setting a precedent for other building works to extend closer to the road / seashore.

The balcony will be set in from the front of the property by 5.4m and from the side (west) by 2m. Other comments noted and will be addressed in the conclusions section.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Tree Preservation Order. (TPO ref: 3/342/91 (TPO)).

Flood Zone 3.

Within an area with potentially high groundwater levels.

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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a two-storey detached dwelling located at the junction of Third Avenue and Strand Way. The existing balcony is to the front (south) of the property and is visible from the street scene. The application seeks to replace and extend the balcony, and changes to cladding at first floor level.

The proposed replacement balcony would have a maximum width of approx. 8m and maximum depth of approx. 4m. The proposed replacement balcony would be 2.4m deeper than the existing balcony at its deepest point. Two brick columns would support the balcony using materials to match the existing dwelling. The balcony would be set back from the front boundary by 5.4m and the balustrades of the balcony would be glazed. A 1.8m high frosted glazed panel is proposed to the western side of the balcony. Whilst it is noted that the balcony would extend approximately 1.2m closer to the front boundary than the existing front building line of the neighbour to the west, given the existing variation of dwellings when viewed from Strand Way and Third Avenue, that there is a balcony currently in situ which would be replaced by the proposed development, albeit at an increased depth, and that the balcony would be open in nature, thus it would not significantly increase the bulk and massing of the building closer to the front boundary, the balcony would not appear unduly prominent within the streetscene and would not result in harm to the character or appearance of the host dwelling.

Further alterations to the dwelling include the introduction of horizontal cedar cladding to the south and east elevations at first floor level of the turret to match the existing dwelling. This change is cosmetic in nature and would create a more uniform facade and is acceptable.

The proposal is in accordance with the Felpham Neighbourhood Plan.

The development would not negatively impact the street scene and would not compromise or detract from the character of the area. The development does not harm visual amenity in accordance with D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The orientation and siting of the proposal is such that it would not give rise to any adverse impacts by way of overbearing or overshadowing on any neighbouring dwellings.

The proposed balcony primarily provides a front facing viewpoint onto Strand Way. Strand Way is not private amenity space and as such the viewpoint provided onto this area is acceptable. However, the balcony extends forward from the front building line and as such, allows for limited side facing viewpoints. As this is a corner property, the side facing viewpoints from this balcony predominantly overlook the junction of Third Avenue and Strand Way. Whilst part of the balcony would face the

neighbouring dwelling to the east at an oblique angle, given the positioning of the balcony and the distance between the balcony and the neighbour to the east, the balcony would not overlook the amenity space serving the neighbour to the east. Furthermore, whilst the balcony would be sited a minimum of 2.1m from the western boundary, the balcony would not overlook this neighbour given the provision of a 1.8m high frosted glass screening along the entire depth of the balcony to the western side.

The proposal is in accordance with relevant Development Plan policies D DM1 and D DM4 of the Arun Local Plan.

FLOOD RISK

The site is located within Flood Zone 3. The proposed development would be elevated 2.8m above the ground level and as such, it would not increase the risk of flooding. Additionally, the proposed balcony design incorporates a surface water drainage channel system which discharges to downpipes positioned behind the supporting columns.

The proposal is in accordance with policy W DM2 of the Arun Local Plan.

CONCLUSION

The proposed development is in accordance with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 not CIL liable.

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 and documents:

Proposed Floor Plans and Elevations 5034-200.
Flood Risk Assessment (received - 30/10/2024).
Planning Statement (received - 30/10/2024).

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 materials and finishes of the two pillars/columns and cladding to the south and east elevations of the first-floor turret hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.
- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 5 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.