

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

REF NO: FP/160/18/HH

LOCATION: 2 Second Avenue
Felpham
PO22 7LJ

PROPOSAL: Single storey front garage extension, first floor rear extension with juliet balcony & 1 No. new first floor landing window to side elevation (resubmission following FP/261/17/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey extension to the garage to the garage at the front elevation and to create a first floor extension to the rear of the property and to install a first floor landing window.

RELEVANT SITE HISTORY

FP/109/18/NMA	Non-material amendment following the grant of FP/127/17/PL relating to approved plans for proposed plot plan, ground floor plan, elevations, site & location plans & street scene elevation.	Approve 08-06-18
FP/93/18/NMA	Application for a non-material amendment following a grant of planning permission FP/261/17/HH relating to minor internal layout changes with adjusted first floor fenestration layout	Inc Docs Ret'nd 21-05-18
FP/261/17/HH	Single storey front garage extension & first floor rear extension with juliet balcony.	ApproveConditionally 05-03-18
FP/127/17/PL	Proposed detached two storey dwelling	ApproveConditionally 25-08-17

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Parish Council provided no objection to the works proposed.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

PD Restriction

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan and ESD1 of the Felpham Neighbourhood Plan.

BACKGROUND

It is noted this application is a resubmission of FP/261/17/HH which was previously approved. This application seeks to construct the same proposal however there is an additional window proposed to the side elevation.

DESIGN AND VISUAL AMENITY

The proposal constructs a first floor extension to the rear. Whilst it is a large addition it would not be directly visible from the street scene however the proposal also seeks to extend the garage at the front elevation of the property which would be visible.

The development as a whole would appear in keeping with the character of the area and street scene which consists of large detached houses of varied styles and designs. The rear addition and front garage extension would appear subordinate to the main dwellinghouse due its design and scale.

The development is therefore considered to comply with DDM1 and DDM4 of the Arun Local Plan and

ESD1 of the Felpham Neighbourhood Plan.

RESIDENTIAL AMENITY

The garage extension to the front of the property is of a modest size with a depth of 1.5m. There will be a sloping roof which will match that which currently exists ultimately extending along the width of the front of the dwelling. The garage extension does not project beyond the front elevation of the host dwelling.

The development to the rear of the dwelling is of a large scale and the addition of a first floor will increase the height of the existing extension by around 3.5m around 0.7m below the ridge height of the host dwelling. The extension would have a depth of around 7.4m which is the same as the existing.

Due to the siting of the extension, the development would be highly visible from the neighbouring property to the north from a side window and the ground floor conservatory. Impacts such as the potential overbearing and loss of light needs to be assessed in which the council use a 45 degree rule to assess overbearing impacts. As also discussed in FP/261/17/HH, the rear facing windows of 4 Second Avenue to the northern elevation would be impacted however the first floor extension would not breach a 45 degree line drawn from the centre of the rear facing windows and therefore with respect to the rear facing no significant adverse overbearing impact or loss of daylight would be caused as a result.

At the northern elevation 5 velux windows would be installed however due to their location in terms of the height in that they are above 1.7m from the finished first floor level, they are not considered to give rise to any loss of privacy or overlooking.

The proposal would construct a Juliet balcony with 2 additional windows to the southern elevation of the first floor addition. One of the proposed side windows is additional to that which was approved under FP/261/17/HH however the addition of 1 side window to the southern elevation is not considered to give rise to any significant additional overlooking or loss of privacy to the neighbouring property than which was previously approved.

Permission has been granted under FP/127/17/PL for a dwelling to be constructed to the southern elevation of the dwelling which may be impacted by the south facing Juliet balcony however due to the location of the property there would be no direct overlooking from the Juliet balcony into the rear habitable room windows of the new dwelling and with a separation distance of 6m to the boundary fence, the proposal isn't considered to give rise to overlooking or overbearing impacts to the southern elevation.

The properties to the rear of the dwelling are in excess of 30m from the rear elevation of the proposed first floor extension and it is not considered the development will give rise to any overlooking impacts.

Due to the siting and size of the proposed first floor rear extension and the size and design of the garage extension, it is not considered the proposal will give rise to any overlooking, overbearing or overshadowing impacts and accord with DDM1 and DDM4 of the Arun Local Plan. .

SUMMARY

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

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 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

 - Proposed cross section AA
 - Proposed Ground Floor Plan - Rev C
 - Proposed Elevations- Rev D
 - Proposed Plot Plan - Rev A
 - Proposed First Floor Plan -Rev D
 - Existing and Proposed Roof Plan - Rev A
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of 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.