

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

REF NO: FP/163/17/HH

LOCATION: 21 Culver Road
Felpham

PROPOSAL: Rear two storey extension & single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The two storey element of the extension would in-fill the void between the current rear return and rear wall, squaring the property. It would have a west facing lean-to roof and join the existing roof which would be gabled by the development. The development would also involve the installation of a hand rail to the existing rear roof terrace which will be accessible from the rear facing roof gable to be created.

The single storey side extension will replace an existing single storey side element and have a lean-to roof. One ground floor side facing window will be walled up to make way for the side extension.

Existing roof tiles will be replaced with natural slate and natural slate will be used for the new roofs. Brick decorated render will be used for the walls and UPVC or aluminium double glazed windows are proposed. Exact details of materials has not been provided.

SITE AREA

0.05 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

1.5m fence with trellis and a section of 1.8m fence on west boundary. 1.8m fence to rear (north) boundary and 3m hedge to east and south (front) boundaries.

SITE CHARACTERISTICS

Detached two storey dwelling with hipped roof and existing two storey rear extension with roof terrace and curved two storey corner. The

property has off-street parking to rear with detached garage, garden to front, east side garden and garden to front (south).

CHARACTER OF LOCALITY

Suburban residential area characterised by two storey detached dwellings and bungalows with gardens to front and rear.

RELEVANT SITE HISTORY

FP/37/91	Proposed porch	ApproveConditionally
		07-05-1991

None relevant. Existing two storey extension with roof terrace has no planning record.

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None made.

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [DEV19](#)
[GEN2](#)
[GEN7](#)

[Publication Version of the Local Plan \(October 2014\):](#)

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design
QE SP1 Quality of the Environment
SD SP2 Built-Up Area Boundary
Design of new development

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The development is considered to comply with policy ESD1 of the 'made' Felpham NDP.

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

Design and Visual Amenity

The current property has an odd and awkward relationship with the existing two storey rear extension and roof terrace. The development will gable the existing rear facing roof hip and by infilling the existing space between the main dwelling and existing extension, with a lean-to roof will go some way to integrating the awkward existing rear extension with the host dwelling.

From the rear, the house will retain its modern appearance but be more integrated with the existing dwelling. The mass added by the roof extension and two storey rear extension is not considered to be overly large or appear as an overdevelopment of the site which is in a prominent location on a corner plot.

The appearance of the dwelling from the front (south) will remain largely similar but for the single storey side extension to the west and hand rail to rear roof terrace which will be visible at second floor level. The side extension will have a lean-to roof with slope to match the host dwelling so is considered to be both subservient and in character with the main property.

Overall the extensions are considered to be in character and subservient to the host dwelling when viewed from both street scenes of Berewecke Road and Culver Road. Materials will be reserved by condition.

The development is considered to be acceptable in terms of design and visual amenity in compliance with saved policies DEV19 and GEN7 and Felpham NDP policy ESD1.

Residential Amenity

The property occupies a corner plot, thus the extensions would have a limited impact on the properties to the east on Berewecke Road, to the South (on Culver Road) which would only have

a view of the side extension and hand rail; and 26 Bereweek Road to the north where the rear elevation is approximately 32m from the rear of the proposed development.

The neighbouring dwelling to receive a direct impact from the development is the bungalow of number 19 Culver Road to the west. This bungalow currently faces the existing single storey side extension and external staircase of the host dwelling and windows at ground and first floor. Although the two storey extension will add additional mass to dwelling which will face the side of number 19; it has been designed to be lower impact with roof slopes that recede away from the common boundary. Furthermore, the opportunity for sideways overlooking from the existing external staircase and windows is removed. In addition, the lean-to roof of the extension is set to a height which would only allow high level overlooking from the existing roof terrace which has no screening. As such, whilst number 19 would see an acceptable level increase in visual impact from the extension, the potential level of overlooking is reduced significantly. It is not considered necessary to removed permitted development rights for first floor, west facing, side windows as Class A of the general permitted development order would require any new side facing windows to be obscure glazed and fixed shut to a height 1.7m above finished floor level.

In terms of overshadowing and loss of light, the extension would pass the 45 degree line to the rear windows of number 19 and the side facing windows do not serve habitable rooms. The immediate rear private amenity space of 19 would be to the north west of the extension and given its two storey size and modest roof form, it is not considered that this would create a significant level of overshadowing.

The development is considered to be acceptable in terms of impact on residential amenity in compliance with saved policies DEV19 and GEN7 and Felpham NDP policy ESD1.

The application is considered to comply with the development plan and is recommended for conditional permission.

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:

Location Plan Ref. 7194
7194/11
7194/03A
7194/04A
7194/07
7194/05B
7194/09

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls, roofs, windows, doors and the hand rail/balustrade of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 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.