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

REF NO: **FP/166/15/HH**

LOCATION: 5 Outerwyke Avenue
Felpham

PROPOSAL: Single storey front extension to garage conversion.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This house has been fire damaged and the side garage and rear conservatory are in the process of being rebuilt/repaired. It is proposed to extend the front of the garage forward of the line of the main front wall of the dwelling by 0.9m. The extension would be 3.05m wide and would have been beneath a front canopied area which remains as a canopy over the front door area but no longer to the front of the garage. The front canopy would be reinstated above the proposed extension. The front extension is set in from the boundary with no.7 by approximately 350mm. Accommodation will be a study, shower room and utility room.
SITE AREA	Approximately 0.04 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Medium density housing.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front and front/side boundaries are enclosed by hedging of approximately 2m high. The side wall of the garage forms/formed part of the north boundary.
SITE CHARACTERISTICS	One of a pair of semi-detached houses on the west of Outerwyke Avenue. Cream coloured rendered. Canopy over front door which previously extended over the garage. The roof has small pain red/brown tiles. Driveway to front provides off-street parking and is slightly in excess of 17m deep capable of accommodating up to 3 cars.
CHARACTER OF LOCALITY	Established residential area with mature landscaping. Mix of house types and designs,

but generally two-storey in the immediate vicinity. Bungalows further north.

RELEVANT SITE HISTORY

FP/278/04/	First floor extension	Refused 24-12-2004
FP/120/05/	Conservatory to rear of property.	ApproveConditionally 27-07-2005
FP/126/15/NMA	Application for a non-material amendment.	Withdrawn 25-06-2015

None.

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

No consultees.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		SD SP2 Built-Up Area Boundary D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design
Felpham Neighbourhood Plan 2014 POLICY		Design of new development

ESD1

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. The Felpham Neighbourhood Plan has been Made and policy ESD1 is of relevance to the application.

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

PRINCIPLE
The site is within the built-up area where the principle of development is acceptable,
subject to according with planning policies. The main criteria against which the application will be assessed is the Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these seek to ensure development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY
This application will result in a limited change to the appearance of the dwelling. The extension is sympathetically designed and would be consistent with the appearance of the existing dwelling. It would not extend beyond the existing canopy and would not be unduly intrusive visually. Door and window proportions are consistent with the dwelling. Impact would also be mitigated by existing boundary planting. The design retains satisfactory on site parking at 2 car spaces.

The development is acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan and policies D DM1, D DM4 and D SP1 in the Emerging Local Plan.

RESIDENTIAL AMENITY
The location, scale and design of the proposal are such that there is little or no impact on the amenity of the adjoining occupiers. There is good boundary screening which mitigates any impact of the 0.9m forwards extension. The adjoining dwelling has a car port adjoining the area of the extension.

PARKING
The proposal results in the loss of the existing garage space and therefore the loss of 1 car parking space. However, the driveway provides 3 car parking spaces and as such parking provision at the site remains satisfactory.

It is therefore recommended that the application be approved, subject to the following conditions.

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 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

In assessing this proposal Neutral 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).

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 drawings:

Site Plan, Scale 1:500 - Submitted with Application
Existing & Proposed Ground Floor & Roof Plans - Submitted with Application
Existing & Proposed East & North Elevations - Submitted with Application

Reason: In the interests of amenity and the environment in accordance with policies GEN7 and DEV19 in the Adopted Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the emerging Arun Local Plan 2011-2013, Publication Version, October 2014 which seek to ensure that development would not have an adverse impact upon visual and residential amenities.

3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity and the environment in accordance with policies GEN7 and DEV19 in the Adopted Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the emerging Arun Local Plan 2011-2013, Publication Version,

October 2014 which seek to ensure that development would not have an adverse impact upon visual and residential amenities.

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.