

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

REF NO: FP/170/19/HH

LOCATION: 6 & 8 Gorse Avenue
Felpham
PO22 6AY

PROPOSAL: Erection of sunrooms including the demolition of existing sunrooms.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council

No objection.

Two letters of objection to the application on the following grounds:

- An increased footprint to the building.
- The rear boundary being closer than the plans suggest.
- The application being misleading as they aren't like for like replacements they are extensions in their own right.
- The extensions have a height that is higher than the existing eaves height.
- The increased height creates additional light pollution.
- The design and style is unsympathetic to the area.
- The works being completed before then the application being submitted retrospectively.
- The two properties submitting one application, believed they should be two separate applications.
- An increase in the dust whilst the building works were undertaken.
- The hours worked during the construction of the proposed were from early till late.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXTDesignation applicable to site:
Within the Built Up Area Boundary**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)
DSP1	D SP1 Design

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 D DM1 and D DM4. The site is occupied by a detached property with front and back gardens in a mixed design area.

Policy:

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy ESD1 of the Felpham Neighbourhood Plan outlines New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location.

Site history:

Relevant history noted.

Design and Visual Amenity:

The applicant seeks planning permission for the construction of rear sunrooms to the established dwelling. The proposed will be measuring 6.6m in width, protrude 1.8m to the rear of the dwelling and to a proposed height of 2.8m with a flat roof.

The proposed rear extension given its location will not be visible from the street scene, it will therefore it will not have an impact on the character of the host dwelling or the street scene. The proposed development is deemed to be subservient to the host dwelling and would not result in any adverse impact on the spatial pattern or character of the area and would therefore accord with the policies D DM1 and D DM4 of the Arun Local Plan.

It is also considered that the demolition and reconstruction of the outbuilding is acceptable as is deemed to be subservient and would not result in any adverse impact on the spatial pattern or character of the area as such it is deemed to accord with the relevant policies in D DM1 and D DM4 of the Arun Local Plan.

Neighbouring Residential Amenity:

The proposed rear extension will be located approximately 5.53m from the western boundary of number 6 Gorse Avenue, 7.95m from the southern boundary of the two properties and 5.m from the eastern boundary of number 8 Gorse Avenue.

It is acknowledged there will be one roof light in each of the sun rooms measuring 1m by 2m each. There are also proposed Bi-folding doors measuring 2.3m wide to the rear of the proposal on each property. Given the location to the rear and the symmetry of the proposal these are not considered to be unacceptable in terms of overbearing or overshadowing. It is also not considered to overlook due to the height of the proposed development. The window to the side of the proposal face into their individual rear gardens and as such are not considered to overlook.

Given the design and location of the extension it is not considered to give rise to adverse impacts in terms of overlooking, overshadowing and overbearing as the total height of the proposed would not be clearly visible from the neighbouring property and is therefore deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

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 plan:
6-8.07.19_P.PEL (A)

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 **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.