

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

REF NO: FP/174/20/HH

LOCATION: 12 The Midway
Felpham
PO22 7HA

PROPOSAL: Proposed rear orangery.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct an orangery to the rear of 12 The Midway. The walls will be rendered to match the existing property with aluminium bi-folding doors constructed with a flat roof.

RELEVANT SITE HISTORY

FP/291/17/HH	Porch to front elevation.	ApproveConditionally 06-03-18
FP/267/17/T	Reduce crown of 1 No. Horse Chestnut tree to previous pruning points & removal of deadwood.	ApproveConditionally 03-01-18
FP/232/14/T	Clean crown & reduce crown by 3.5m at top to previous pruning points to 1 No. Horse Chestnut tree.	ApproveConditionally 23-02-15

REPRESENTATIONS

No objection from Parish Council.
No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Built up area boundary.
Tree preservation order.

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
SDSP2	SD SP2 Built-up Area Boundary

Felpham Neighbourhood Plan 2014 POLICY ESD1 Design of new development

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan. Felpham has a made Neighbourhood Plan with policy ESD1 of relevance to the application. The proposal complies with this policy. The FNDP is currently under review.

DESIGN AND VISUAL AMENITY

The proposed orangery will be located at the rear of the property, the width of the proposal will be 3.2m, and projection of 3.4m hgt to ridge 3.2m, the walls of the orangery will be rendered to match the property, frames/lantern rafters grey UPVC with aluminium bi-folding doors with a flat roof constructed of material glass.

The orangery will measure out as 8.46m to the southern boundary, 2.46m to the northern boundary and 20.65 to the western boundary. The orangery will be part-constructed with similar materials as the host dwelling, such as the walls being rendered with the same materials, the bi-folding doors will be glass. This development will be at the rear of the property and not visible from the wider area so there is no harm to the street scene as there are no viewpoints from the wider area

During the construction of the orangery there will be access to the drive where the skips will be located, there will be drainage to the existing gully and the boundary fence/hedge will remain the same. Although the property is located within the TPO area of Bognor No. 5 there are no trees affected within this development.

There is one example of a similar proposal within this area which had been approved, the proposal is not considered to result in an adverse appearance on the street scene and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed orangery will be located at the rear of the property.

The width and height of the orangery is modest and with sufficient separation to the neighbouring property, it is not considered to result in adverse impacts upon amenity.

The proposal is not deemed to harm amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

PARKING

The orangery will not be impacting on the parking within the grounds of the property due to the rear location, although the skips will be placed on the driveway there will still be sufficient room to park a car within the front garden and as such the works are not considered to result in an adverse impact upon highway or parking issues.

SUMMARY

The proposed development is deemed to accord with relevant development plan 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.

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:
 - Block plan
 - Proposed rear orangery

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.