

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** **FP/179/12/****LOCATION:** 42 Golf Links Road
 Felpham**PROPOSAL:** Single storey side extension & front garage extension with internal alterations
(re-submission following refusal FP/62/12/)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 820 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None to front. 1.8 metre high close boarded timber fence to side and rear.
SITE CHARACTERISTICS	Detached modern bungalow faced in brick with a pitch, tiled roof and integral side garage. Corner plot.
CHARACTER OF LOCALITY	Residential cul-de-sac comprising an open plan estate of detached modern bungalows of identical character and appearance.

RELEVANT SITE HISTORY

FP/62/12/	Ground floor kitchen extension together with garage extension	Refused 06-07-2012
BR/168/56/DB	Amendments to bungalow and siting thereof	Approve Conditionally 28-11-1966
BR/544/67	Outline - Private dwelling	Refused 09-01-1968
BR/1052/72	Proposed extension	Approve 09-01-1973
BR/371/74	Extension to garage new bay window	Approve 26-06-1974

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built-up area boundary

DEVELOPMENT PLAN POLICIES

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

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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

BACKGROUND

The application seeks consent for a single storey side extension and front garage extension. A previous application for a side extension on the east elevation of the bungalow was refused for adversely affecting the residential amenities of the neighbouring property at no. 44, resulting in loss of daylight and outlook (FP/179/12). The application was also refused for reducing the visual separation and spacing between the neighbouring property at no.44.

The proposed front garage extension was previously judged to be acceptable under application FP/179/12 in design terms and to have no adverse impact on visual or residential amenity. There has been no material change to the site or the relationship to neighbouring properties.

DESIGN AND VISUAL AMENITY

The current application re-positions the proposed side extension away from the side boundary of no. 44 to the south elevation. The extension will measure 4.6 metres in height to the ridge at a width 4.9 metres and depth 7.5 metres. The extension will have a pitch tiled roof with brickwork elevations, in keeping with the existing property. It is visually subordinate to the host property.

With regard to visual amenity, the property occupies a large corner plot in an modern, open plan residential estate of pitch roof detached and semi-detached bungalows. The re-positioning of the proposed side extension to the south elevation improves the spacing and separation to the neighbouring property at no. 44.

At approximately 20 metres in length, the roof the bungalow will be elongated, but the pitch roof of the extension respects the character of the host property and other bungalows in this open plan residential estate. Further, the property occupies a large, spacious corner plot of 820 sq metres and the proposed side extension will be set back from the street frontage. The visual impact will be limited. The proposal is therefore considered to have an acceptable impact on visual amenity and the character of the area.

RESIDENTIAL AMENITY

The re-positioning of the proposed extension to the south elevation improves the visual separation to no.44, such that there will be no adverse impact on the amenities of this property through loss

of daylight or outlook. The side extension will be sited 6 metres from the south boundary to no 8 Sutton Close and will have no adverse impact on the amenities of this property, which is a two storey detached dwelling. There are no neighbouring properties to the rear (north).

SUMMARY

It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 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

Duty under the Equalities Act 2010

In assessing this proposal the following impacts (Neutral) 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 plans: drawing 4781 Site Location and Block Plan, drawing 4781/2A Part Ground Floor Plan as Existing, drawing 4781/3A Elevations as Existing, drawing 4781/4A Part Ground Floor Plan as Proposed, drawing 4781/5A Part Ground Floor Plan as Proposed, drawing 4781/6A Elevations as Proposed, received on 18 September 2012.

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 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 building.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN2, DEV19

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.