

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

REF NO: FP/182/20/HH

LOCATION: Gulls
7 First Avenue
Felpham
PO22 7LG

PROPOSAL: Single storey rear extension to replace existing conservatory with revised roof to existing single storey extension, first floor rear extensions, single storey glazed canopy to south side elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct first floor extensions to the rear, with alterations to the existing ground floor extension at the rear and side and the formation of a rear balcony.

REPRESENTATIONS

Felpham Parish Council provided no objection.

1 letter of objection received from a nearby occupier.

- The balcony would directly overlook my property and glazed conservatory.

Following the amended plans additional comments were received.

- The glass screen should be obscured and 1.7m high onto the balcony.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

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

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Felpham have an emerging Neighbourhood Plan currently at Regulation 17 stage however this does not change the relevant policy, with ESD1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal will be situated to the rear of the property and is not visible from the street scene.

The rear elevation has a conservatory and single storey pitched roof addition. This will alter to form one flat roof extension. Part of the flat roof will then serve as a balcony. There will be first floor additions which add some bulk however due to the siting of the development at the rear of the property, there are no viewpoints from the street scene.

The development appears subservient and well integrated with the host dwelling.

The surrounding properties are varied in style and design and with the works to the rear, it is not considered to appear out of character.

Due to the siting and design of the proposal, it is not deemed to result in adverse harm upon the spatial pattern of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

First floor extensions will be constructed to the northern and southern side of the rear elevation. These add some bulk to the rear however they are modest in depth, with the northern side extending 3.6m and the south side 1.8m. This will then reduce to form a single storey extension which will replace a conservatory and pitched addition. The rear addition does not increase in depth from that which currently exists. Part of the roof of the single storey extension will then form a balcony.

There will be a glazed conservatory addition which will infill the southern elevation. This will have a lean to roof with height of around 2.6m. Whilst it is close to the boundary and with the neighbouring property to the south at single storey, due to the material proposed, it is not considered to give rise adverse impacts by way of overbearing or overshadowing.

Due to the modest depth and siting of the first floor extensions which retains around 3.2m to the boundary to the south, it is not considered to result in overbearing or overshadowing. To the north, the property at No.3 is located a sufficient distance away in such that again it does not give rise to adverse harm.

The extension to the rear will have a height of 3.65m which is slightly reduced from that of the existing rear addition. A balcony is proposed above. The balcony has been reduced in size from that previously proposed to avoid impacts of overlooking. The balcony will be situated between the first floor additions and as a result the first floor addition to the northern side will act as a screen to this elevation.

To the southern elevation at No.9, there is a glazed roof conservatory. Following the reduction in size to the balcony this now retains a minimum separation of approximately 7.15m when looking directly south. The agent has demonstrated possible views that may be available from the balcony and as a result has introduced a 0.5m high screen that will run alongside the edge of the flat roof in order to further screen potential views towards the ground floor of the conservatory. This is approximately 4m from the southern boundary. The reduction to the size of the balcony has increased the separation distance and the additional screening is considered sufficient to ensure that overlooking is not significant in which a refusal is justified.

There will be 2 windows serving the first floor extensions, with one a juliet balcony. These are existing, although sited further east. A juliet balcony can be constructed under permitted development and is not considered to give rise to adverse views. There will also be a door to the southern elevation which forms the side of the first floor addition to the north for access to the balcony. Due to the siting and with the balcony screening in place, this is not considered to result in such adverse overlooking that refusal is justified with around 10m separation to the boundary when looking at a 45 degree angle.

The proposal is not considered to result in adverse harm upon neighbouring impact by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plans and 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
- Proposed Floor Plan - P01 A
 - Proposed Elevations - P02 A
 - Location and Block Plan - P03 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 The obscured balcony screening shall be constructed to the southern elevation of the rear extension as shown on the approved plan P02 A. It shall be installed prior to the first use of the balcony and be retained thereafter in perpetuity.

Reasons: In the interests of the amenity of the neighbouring dwelling in accordance with policies D DM1 of the Arun 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.