

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

REF NO: FP/183/13/

LOCATION: 3 Duncton Close
Felpham

PROPOSAL: Single storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Single storey extension of front facing gable beyond existing building line. The proposed development includes increasing the width of the front facing gable by 2.25 metres and depth by 1.7 metres.
SITE AREA	567 square metres.
RESIDENTIAL DEVELOPMENT DEN	n/a
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Dwarf wall along the front boundary with hedging around the remaining front perimeter.
SITE CHARACTERISTICS	The site is occupied by a single storey detached dwelling with render and brown brick elevations. There is a detached bungalow to the south-west of the house.
CHARACTER OF LOCALITY	The site is located in a residential cul-de-sac characterised by properties of a similar style.

RELEVANT SITE HISTORY

No comments

REPRESENTATIONS

Representations received:

Felpham Parish Council

- no objection

Comments on Representations received:

No comments

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

No comments

POLICY CONTEXT

Designation applicable to site:
Within Built up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 application site is located within the defined Built Up Area Boundary, where in accordance with saved policy GEN2 of the Arun District Local Plan the principle of development is acceptable, subject to satisfying planning considerations such as visual and residential amenity.

VISUAL AMENITY

The proposal is for a front extension which takes the appearance of a front facing gable. The property currently has a smaller front facing gable, so in this regard the front extension is considered to be in keeping with the character of the existing dwelling. The pitch of the roof of the front facing gable will be changed to accommodate the increased width but this is not considered to detract from the appearance of the dwelling.

The proposed extension has a small footprint, and while it will be visible from the street, its scale and positioning mean that it will have an acceptable impact on the property retaining its character and appearance.

RESIDENTIAL AMENITY

The proposed extension will be 6.15 metres from the boundary and will not have an appreciable impact on the property to the north. The existing garage to the south-west of the building line will largely shield the effect of the extension. It is therefore considered that the proposal will not have any effect on surrounding residential amenity.

SUMMARY AND CONCLUSION

The site lies with the built up area boundary and the proposed extension is acceptable in terms of scale and design. The extension is considered sympathetic to the host building and the character of the locality. The proposal is therefore recommended for approval subject to the conditions set out 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 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 the proposal a neutral impact has 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.

As a neutral impact has been identified, no mitigation measures have been proposed.

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:

"Existing Sheet 2 of 2"
"Proposed Sheet 1 of 2"

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the Arun District Local Plan 2003.

- 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 in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.