

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

REF NO: FP/188/18/HH

LOCATION: 68 Limmer Lane
Felpham
PO22 7HE

PROPOSAL: First floor extension including removing fire place & chimney stacks.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	First floor box dormer at the side of the dwellinghouse in a 1.5 storey chalet bungalow facing over a neighbouring bungalow roof at no. 70 Limmer Lane
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

No objection subject to the extension being set back 1 metre from the side boundary.

No comments received from neighbouring properties.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CLASS C ROAD

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

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

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS

The residential dwellinghouse is located within the urban area of Felham and as such is acceptable in principle in accordance with policy SD SP1 - Built up area boundaries , subject to other relevant policies in the Local Development Plan which in this case include policy D DM1 - Design and D DM4 Extensions and Alterations and policy ESD1 - Design of new development of the Felham Neighbourhood Plan .

Design

The proposed box dormer is set back 0.6 metres from the eaves of the dwellinghouse which has a side elevation set back 0.5 metres from the boundary such that the development would be set back 1.1 metres from the side boundary.

The proposed side box dormer is considered to be subservient to the main dwellinghouse, of a modest mass and scale and would be constructed of materials to match the existing front and rear elevations of the dwellinghouse such that it will be a reasonably sympathetic addition to the dwellinghouse in accordance with D DM1, D DM4 and policy ESD1 of the Felham Neighbourhood Plan.

Residential Amenity - Impact on neighbouring properties

The proposed box dormer would not cause a significant loss of light or overbearing impact on the only neighbouring property affected, 70 Limmer Lane as there are no primary habitable room windows on the side elevation of the neighbouring bungalow at ground floor level or in the roof.

The side facing window of the proposed box dormer would not cause a loss of privacy as it would look out over the roof of the neighbouring bungalow and would not have any direct views toward the neighbours rear amenity space over and above the oblique views that already exist at first floor level in the rear elevation of the applicant's property.

The proposal is therefore considered to comply with policies D DM1 and D DM4 with respect to the impact on neighbouring properties.

The proposal complies with policy within the Local Development Plan national guidance within the National Planning Policy Framework and National Planning Policy Guidance and is therefore recommended for approval subject to the following conditions.

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 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;
Site plan and proposed elevations dwg.no. 3 of 4 dated 14-01-209

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 3 The materials and finishes of the external walls of the proposed dormer hereby permitted shall match in detail, colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.