

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

REF NO: FP/196/14/HH

LOCATION: 4 South Road
Felpham

PROPOSAL: Single storey extension to rear & demolition of existing single detached garage & construction of new double detached garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed rear extension measures approximately 14m in width, maximum depth of 5.7m and a height of 3.4m.

The detached double garage measures approximately 6.1m in width, depth of 6.5m with a maximum height of 3.4m.

SITE AREA

Approximately 0.125 hectare.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Front has wall, conifer hedging and wrought iron gates approximately 2m in height, rear has fencing + hedging approximately 2m in height, east side boundary close boarded fencing approximately 1.8m in height, west side boundary hedging with tree screening over 3m in height.

SITE CHARACTERISTICS

Detached two storey dwelling with conservatory on front, detached single storey garage on side. The property has yellow brickwork, tiled roof with white window frames.

CHARACTER OF LOCALITY

Residential cul-de-sac comprising a mixture of detached two storey, chalet and bungalows.

RELEVANT SITE HISTORY

FP/187/00/	Demolition of existing garage, conservatory and dining room and erection of new two storey extension and detached garage.	ApproveConditionally 08-12-2000
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FP/151/05/	New conservatory/porch to the front of the property	ApproveConditionally 12-09-2005
FP/35/10/	Single storey extension to rear and alterations to provide new kitchen/ breakfast room conservatory and utility together with demolition of existing detached single garage and construction of detached double garage	ApproveConditionally 07-05-2010
BR/123/50	Detached house with garage	Approve 06-07-1950
BR/123/50/A	Revised plan of detached house & garage with outbuildings	Approve 11-03-1952

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [DEV19](#)
[GEN2](#)
[GEN7](#)

[Publication Version of the Local Plan \(October 2014\):](#)

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design
SD SP2 Built-Up Area Boundary
Design of new development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The Felpham Neighbourhood Plan has been made and in this instance it is considered that ESD1 applies.

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

The detached two storey property is sited at the far end of the residential cul-de-sac and has previously been extended with a two storey extension and front porch. The application seeks to construct a single storey rear extension with detached double garage.

A previous application FP/35/10 which was approved for a single storey rear extension and detached double garage which was similar to that proposed but was never implemented. The only differences being that the conservatory has been replaced by a hipped roof extension and the double garage has been repositioned further back into the site. The proposed rear extension will be the full width of the dwelling and will be L-shaped in appearance. The kitchen/breakfast area has a rear projection of 3.3m and the dining room element has a rear projection of 5.7m. The extension is of a size and height that is visually subservient to the host dwelling. The neighbouring property to the north No 3 which is sited forward of No 4 is sited approximately 3m-3.5m away from the proposal. This property has no windows on the side elevation and there are no windows on the proposal. With its single storey height, the absence of windows and boundary hedging of approximately 3m it is not considered that the proposal would create a loss of outlook or daylight.

The single garage which is sited on the west side boundary is to be demolished and the proposed double garage will be set back from the front of the dwelling by approximately 8m and the front boundary by approximately 26m. The neighbouring boundary of No 5 is set at an angle and the proposed garage will be sited approximately 2m from this property. The proposed extension on the rear will be partially obscured by this structure and will not be readily visible to the occupiers of No 5. This property has a flat roof lobby extension on the side which is sited adjacent to the kitchen and there is also a covered car port on the side elevation which is sited to the boundary with No 4. With the garage roof sloping away from the boundary it is not considered that the garage would create a loss of outlook or daylight to the occupiers to recommend refusal.

Due to its rear location the extension will not be visible in the street scene and the garage being set back from the front boundary by approximately 26m will not be readily visible behind the front boundary screening. It is considered that the development would be in keeping with the character and appearance of the locality and would not have an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings.

It is therefore recommended for approval, subject to conditions.

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 for 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 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).

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 received on 18th November 2014.

Proposed Site 1:200 Drg No 2010.11/04A dt September 2014.

Location/Site/Floor/Elevations Drg No 2010.11/01 Rev A dt September 2014.

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 rear extension and detached garage hereby permitted shall match in colour and texture those of the host 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.