

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

REF NO: FP/196/20/HH

LOCATION: 68 Downview Road
Felpham
PO22 8JA

PROPOSAL: Single storey front porch extension & first floor extension over garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension at first floor level would adjoin the boundary with the property to the south.
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RELEVANT SITE HISTORY

FP/68/07/	Single storey rear extension.	ApproveConditionally 02-05-07
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REPRESENTATIONS

Felpham Parish Council:- Object - development conflicts with D DM4 (d) of the Arun Local Plan.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
2km Buffer for Site of Special Scientific Interest
Within the Built Up Area Boundary
Tree Preservation Orders

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
SDSP2	SD SP2 Built-up Area Boundary

[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 site is located in the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy ESD1 of the Felpham Neighbourhood Development Plan. There is an emerging Neighbourhood Plan currently at Regulation 17 stage however this does not change the relevant policy issues.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The application seeks to construct an extension to the south on the top of the garage to incorporate two en-suites to the current bedrooms at the first floor.

The property has a garage to the side elevation and this will be extended 5.25m in height allowing a first floor to be added which will run alongside the southern boundary with a depth of 5.9m. The extension will have a height which matches that of the ridge of the existing dwelling.

As a result of the size and its siting, the proposal adds bulk to the front/side elevation of the property and will be visible from the street scene. However with the property set back from the road, it is not deemed to appear unduly dominant. The surrounding area is mixed in design and style and whilst the addition will alter the appearance of the dwelling, it is not considered to result in the dwelling appearing out of character with the area. The materials will also match existing which helps to ensure its integration.

There will be a front porch to the west elevation with a width of 4.2m and depth of 1.6m. This is smaller in scale with a flat roof and considered acceptable.

The proposal due to the mixed character of the area, set back from the street scene is not considered to adversely impact the spatial pattern or character of the area and accord with D DM1 and D DM4 (a) and (e) of the Arun Local Plan.

The Parish Council object due to conflict with D DM4 (D) which seeks a gap of 1m at first floor level in streets characterised by relatively small gaps at first floor level. The street has a mixed character however the overall character is not one of relatively small gaps at first floor level therefore this part of the policy is not breached.

RESIDENTIAL AMENITY

The extension to the top of the garage will have a gable roof and will abutt the side boundary.

Due to the size, the proposal adds additional bulk to the side elevation and as a result of the siting of the neighbouring property at No.66 which is located parallel to the host dwelling, it is considered to result in an oppressive and overbearing effect on the amenity no 66 including that of the first floor dormer. The two storey addition will have a significantly detrimental impact on the occupiers at No.66 due to the bulk and proximity resulting in an unneighbourly form of development.

As a result of the siting and size of the development, it is deemed to give rise to unacceptable adverse overbearing impact upon the occupiers at No.66 and as such is in conflict with D DM1 (3) and D DM4 (c) of the Arun Local Plan. Policy ESD1 of the Neighbourhood Plan states that development should be 'appropriate to its location'. The proposal conflict with this in such that size of the development is not appropriate for its locality abutting the boundary with No.66.

SUMMARY

The proposed development is conflict with relevant development plan policies and as such is recommended for refusal.

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.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

REFUSE

1 The extension to the side of the dwelling by reason of its scale and location has a

detrimentally harmful impact upon the the residential amenities of the property to the south due to its oppressive and overbearing impact in conflict with policies D DM1 and D DM4 of the Arun Local Plan.

- 2 **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 with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.