

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

REF NO: FP/205/18/HH

LOCATION: 28 Sea Drive
Felpham
PO22 7NE

PROPOSAL: New entrance & double height hallway to front elevation, first floor extension over existing single storey side extension, single storey rear extension with glazed doors to balcony, creation of first floor balcony, single storey rear extension & cladding to entire dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundaries have a mix of enclosures both in terms of materials and heights. 1.8m fence to side boundaries, 1m wall with pillars to front. Beyond the western boundary is a footpath that gives access to the sea.
SITE CHARACTERISTICS	Detached two storey dwelling, set back from road with in out driveway and integral garage. Full width first floor balcony to rear and large rear garden.
CHARACTER OF LOCALITY	Seaside residential estate, privately owned. The surrounding is characterised by mainly detached two storey dwellings of varying architectural style and form, set back from the road with off street parking to front and private gardens to rear.

RELEVANT SITE HISTORY

BR/16/51	Detached Dwelling	Approve 07-02-51
BR/228/72	Alterations	Approve 31-05-72
BR/62/50	Extension Of Sea Drive & 9inch Water Sewer	ApproveConditionally 25-04-50

BR/855/71	Extension	Approve 11-02-72
FP/91/17/PL	Demolition & erection of 1 No. dwelling.	ApproveConditionally 19-06-17
FP/3/88	First floor extension.	ApproveConditionally 08-02-88

Planning permission was granted in June 2017 for a replacement dwelling of a substantial size and of a design unique to the locality. This permission is a material consideration in respect of the scale of development considered acceptable in this location having regard to the impact of the proposal on neighbouring properties.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site: Built up area boundary

DEVELOPMENT PLAN POLICES

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality

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

Felpham Neighbourhood Plan 2014 POLICY ESD9 Tree protection

Felpham Neighbourhood Plan 2014 POLICY Design details

ESD10

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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.

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 relevant NDP policies have been considered in this report.

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.

CONCLUSIONS

The proposal has a number of distinct elements which form the whole of the proposal.

Overall however, it is worth noting that the applicant advises that the reason for the application is that the existing house is 'in a poor state of repair, needing extensive replacement of external joinery and repairs to the fabric generally.

The internal layout is made up of a series of inconveniently laid out rooms with low ceilings, which have evolved from a series of piecemeal extensions and alterations, and offers a lower standard of accommodation than the size of the house would imply.

The form of the roof adversely affects many of the first floor rooms, which have low ceilings. At the front of the house the roof creates sloping ceilings which compromise the amenity of the rooms.'

The proposed changes overall do collectively work to create a single design concept in a modern style with the use of coloured cladding. The changes to the front of the property are probably the most successful in design terms giving the property a clear and striking new entrance. The extension above the existing single storey extension on the eastern side is acceptably visually from the front of the property

They are less successful at the rear where there are a number of elements but overall the elevation is still an improvement visually on the existing arrangements.

From a ground floor perspective the intention is to bring forward the front wall of what is currently an extension so that it aligns with the main wall of the house. To the rear this extension extends back extensively on the eastern side of the house so that it is 5.8 metres beyond the existing rear wall of house. However only 3.4 metres of this takes the form of a single storey extension since the whole of the rear of the property is being extended back 2.4 metres.

In terms of the impact upon the residential amenities of the property to the east, had all of this development been two then it would have been considered unacceptable. However, having regard to the permission already approved and the fact that the last (southern) 3.4 metres is single storey it is considered that the impact upon the neighbours is within reasonable tolerances.

The rear addition has a balcony similar to the existing property. Whilst, this is acceptable in principle there is a need for a condition to ensure privacy glass is used on all western and eastern elevations of the balcony to a height of 1.8 metres.

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 no 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).

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 APL 01.2, APL 05.0, APL 06.0 & APL 07.0

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1 & D DM4 of the Arun Local Plan.

- 3 The boundary to the balcony as highlighted in a thick plan line on plan extract attached from APL 05.0 shall at all times be glazed with fixed obscured glass to a height of 1.8 metres.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM4 of the Arun Local Plan.

- 4 The roof area of the extension beyond what is shown on the approved plans as a balcony hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy D DM4 of the Arun Local Plan.

- 5 **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.

The Council acknowledges that the applicant may wish to increase the height of the non-obscure balcony glass between points A and B on the Plan extract from plan APL. 5.0. If so this will not require an application.