

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

REF NO: FP/206/19/HH

LOCATION: 36 Sea Drive
Felpham
PO22 7NB

PROPOSAL: Two storey front extension and replacement single storey rear extension. New Solar panels to South & West roof elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council

No objection.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the Built Up Area Boundary

2km Buffer for Site of Special Scientific Interest

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are DDM1 and DDM4 of the Arun Local Plan.

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.

Felpham has a 'made' Neighbourhood Plan with policy ESD1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The dwelling is located within the built-up area boundary in an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The two storey extension has been designed to be set down below the height of main roof, with a double pitch roof. The proposed two storey extension is not the full width of the front elevation measuring 6.25m on the western edge of the property it protrudes 5.2m to the north. On the east of the proposed two storey elevation there is set to be 6.4m to the edge of the property. The proposed extension would be set in approximately 7m from the northern boundary fronting the road and 21.4m from the southern boundary fronting the beach thereby retaining a significant amount of garden area. The proposed extension would be visible from the road. However, due to its design it is sufficiently well integrated with the appearance of the host dwelling. Additionally, there are examples of similar development within the locality, which is considered to allow the proposal to have no significantly harmful impact upon the character of the locality. Given the size of the property and the plot it is considered that the proposed extension would be subservient to the main house.

The proposed solar panel is visible from the road on the side elevation this is considered to be acceptable. The extension is to the rear of the property. This together with the fact that the property is set well back from the road frontage will mean that there will be acceptable impact on the character and appearance of the area.

Therefore, it is considered that the proposed development would not be harmful to the character and appearance of the host property or the locality as such it is deemed to comply with the relevant policies in D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed extension would be sited approximately 1.5m from the side boundary to the west and approximately 22m from the dwelling itself. There are side windows on the front extension facing No.37 however due to the distance and expansive ground they are not considered to gain an unacceptable level of overlooking however, due to the use of the rooms the windows served they will be conditioned to be obscure glazed. Therefore, together with the depth and height of the extension it is not considered that the proposed development will be harmful to the residential amenity of the occupiers of No.37. With regard to No.35 the proposed rear extension is set in approximately 3m from the side boundary and the new chimney will be located 2.2m from the eastern boundary it is understood that this is not part of the

application but it is noted. There is one first floor window in the side elevation of the front extension. However, given the distance and the boundary treatment this is not considered to be unacceptably harmful to the amenity of the adjoining occupiers. The proposed two storey extension does not infringe a 45 degree line off the nearest window of the neighbouring property and is not considered harmful to outlook or lead to a loss of light to the occupiers of No.94 to the south.

Whilst the main windows and the balconies overlook the rear garden the separation distance to the rear boundary and boundary treatment it is not considered the proposal will be unacceptably harmful to the occupiers of the properties to the east and west the potential detrimental overlooking from the side of the proposed balconies has been counteracted through the use of a condition ensuring there are screens to the east and west.

Therefore, in summary, it is considered that there would be no adverse harm to the living conditions of neighbouring properties and to the character and appearance of the host property or area in general. As such the proposal would comply with adopted planning policies in the Arun Local Plan and the Felpham Neighbourhood Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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:

- 10162-DPA-01
- 10162-DPA-07
- 10162-DPA-05
- 10162-DPA-06
- Information regarding materials included in email dated 14/11/2019

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

- 3 The bathroom/en-suite windows at first floor level in the Western elevation of the building shall at all times be and remain glazed entirely with obscure glass.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1/D DM4 of the Arun Local Plan.

- 4 The east and western elevations of the balcony at first floor level, shall at all times be obscured to a height of 1.7m with fixed obscured glass and said screening shall be retained in perpetuity not withstanding those shown in the plan 10162-DPA-06.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 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.