

Recommendation Report for Planning Permission

REF NO: FP/210/18/PL

LOCATION: 4 South Road
Felpham
PO22 8EF

PROPOSAL: Variation of condition 2 imposed under FP/196/14/HH relating to approved plans-change angle of roof pitch to allow for storage in garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed change consists of amending the roof pitch to allow for storage in the garage.
SITE CHARACTERISTICS	Detached dwelling
CHARACTER OF LOCALITY	Residential area.

RELEVANT SITE HISTORY

FP/17/17/NMA	Application for a non-material amendment following a grant of FP/196/14/HH for revised roof design & wall finish to extension.	Approve 31-01-17
FP/196/14/HH	Single storey extension to rear & demolition of existing single detached garage & construction of new double detached garage	ApproveConditionally 08-01-15

Relevant history noted.

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:

Within the Built up area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
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:

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).

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

PRINCIPLE

The proposal relates to amendments to the roof pitch of the previously approved double garage which is located the side of the dwelling on the West side boundary. The site lies within the built up area boundary where the principle of residential development is acceptable subject to accordance with relevant development plan policies. As stated in SD SP2 the key policy considerations are D DM1 and D DM4 of the Arun Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed double garage is situated on the Western boundary and due to the location of the double garage and the garage being set back from the front boundary by approximately 26m would have limited presence within the street scene. 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.

RESIDENTIAL AMENITY

The proposal already has the benefit of a planning permission and this application only seeks approval for the change of the angle of the roof pitch from 18 degrees to 29 degrees to match the existing dwelling.

The double garage was given permission to be built to a width of 6.1m, a depth of 6.5m and a proposed height of 3.4m. The variation of the planning application would increase the height of the double garage to 4.2m. This will cause an additional impact on the neighbouring property but it is not considered to cause sufficient unacceptable impact to warrant a different recommendation to the previous application. The depth and width of the proposed double garage will remain unchanged from the previous application. The separation distance from the double garage to the Western boundary 1m which is considered sufficient to not give rise to any adverse harm to the adjoining occupiers.

The previous application, under reference FP/196/14/HH was considered against the development plan at the time which consisted of the Arun Local Plan 2003. These policies have been replicated in the new Arun Local Plan (2011-2031) and Policy ESD1 of the Felpham Neighbourhood Plan. It is considered that the updated Local Plan would not alter the recommendation as the application is deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

It is therefore recommended that permission be approved 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 approved shall be carried out in accordance with the following approved plans received on 7th September 2018.

- Ground floor plan, elevations, site and location plans 01 C.

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.

- 2 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 D DM1 and D DM4 of the Arun Local Plan.

- 3 **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.