

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

REF NO: FP/224/17/HH

LOCATION: 9 The Loop
Felpham

PROPOSAL: Porch & cement board cladding to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to partially replace an existing porch with an enclosed porch. It also seeks to clad the front elevation of the dwelling with cement board cladding.

SITE AREA

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The Eastern and Western sides of the site have 1.8m high close board fencing, and the front elevation has 3m high mature foliage.

SITE CHARACTERISTICS

The site is populated by two storey dwelling which is set back approximately 15m from the road.

CHARACTER OF LOCALITY

The area is populated by a mix of housing styles and types. The dwellings are typically set back from the road with large foliage to the front elevation.

RELEVANT SITE HISTORY

N/A

REPRESENTATIONS

Representations received:

Felpham Parish Council

Parish Council - No objection.

No representations from nearby occupiers.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
GEN7
DEV19

Publication Version of the Local
Plan (October 2014):

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

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination into the proposed Plan modifications took place in September 2017.

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 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Felpham Parish does have a 'made' neighbourhood plan, Policy ESD1 is deemed to be applicable to this development.

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 application site is situated within the built up area boundary where the principle of development is acceptable, subject to accordance with relevant development plan policies. In this case, key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan and

ESD1 of the Felpham Neighbourhood Development Plan.

DESIGN AND VISUAL AMENITY

Whilst the front porch is deemed to have an impact on the street scene it is deemed to be in character as there are similar developments in the surrounding area, additionally, due to the foliage that abuts the highway it is only partially visible. The design of the development is subservient in character owing to its modest scale and the materials proposed are deemed to be in keeping with the established character of the area. Therefore it is considered that the development is considered to be in line with Policies GEN7 and DEV19 of the Arun District Council Local Plan and ESD1 of the Felpham Parish Council Neighbourhood Plan.

The proposed cladding is deemed to be an acceptable material, and have no unacceptably adverse visual impact on the character of the area. This is mainly due to the colour, and therefore the general appearance, of the dwelling remaining similar to that of which currently exists. Therefore the property is deemed to accord with GEN7 of the Arun District Council Local Plan.

Therefore the proposed is deemed to be acceptable in terms of design and visual amenity, in accordance with GEN7 and DEV19 of the Arun District Council Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

There is not deemed to be a significant impact on visual intrusion as a result of this planning application, due to both the separation distance and the intervening fencing between the development and the adjacent properties. Therefore, it is considered that the proposal is in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposal is deemed to be in accordance with the relevant neighbourhood development plan policies and is therefore recommended for approval, subject to the following 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 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

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 plan:

- Proposed plans and elevations - Sheet 1

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 external walls of the building shall be clad in through coloured material as specified in the email received on the 12th of October by Mr Smith of Orchard Enterprises. This material is stated to be "Marley Eternit Cedral Weather Board - CO8 Sand Yellow". The material so approved shall be used in the construction of the building.

Reason: In the interests of amenity to achieve a reasonable visual quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.