

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

REF NO: FP/242/17/HH

LOCATION: 29 Davenport Road
Felpham
PO22 7JS

PROPOSAL: Retention of rear extension & cladding on first floor level.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed development involves re roofing the existing rear extensions with a pitch tile roof and an increase in height of wall around the roof terrace.
	The materials are grey cladding, concrete tiles to match existing and render.
	The development has been carried out and therefore the application is a retrospective one.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the front there is a low brick boundary wall, to the side there is a wall and fence painted grey on one side and the garage is built up to the boundary on the other.
SITE CHARACTERISTICS	Detached two storey property set on a large spacious plot set back from the road. The current property is render at ground floor and grey cladding at first floor level beneath a tile roof.
CHARACTER OF LOCALITY	Residential comprising large properties of varying design set on large plots.

RELEVANT SITE HISTORY

FP/99/94	Garden room	ApproveConditionally 26-08-94
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No relevant planning history/

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Felpham Parish Council have no objection

One representation received as follows, Whilst we have no objection, our only concern as the adjacent property, is to the quality and depth of the foundations to the garage and increased load above. We also have slight concern to the drainage from the down pipe that drains from the existing terrace above the garage as it currently drains onto our side pathway and gravel drive. There does not seem to be a soak away.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted however the foundations and the drainage from the existing structures are not considered to be a material planning consideration to the current application.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

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

PLANNING POLICY 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 and is 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.

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. The examination was completed 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. 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.

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

PLANNING

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

The application site is situated within an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed increase in height of the wall around the existing roof terrace would be 0.3m, rising to approximately 4m from 3.7m high. The proposed rear extension would be increased to a maximum height of 3.7m from 3m, although the balustrade on top of the 3m addition would be removed. The roof tiles would match the existing property. The proposal also involves grey cladding at first floor.

The proposed roof alterations and increase in height does not significantly alter the shape of the building. The introduction of grey cladding is a significant but not necessarily harmful change. Therefore, the extensions and alterations as a whole alter the design, but not the scale and bulk of the original property. National guidance in the NPPF states "planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." As such whilst the style of the resultant property is different it is considered to be subordinate to the original house and is not harmful to the character and appearance of the wider area or the property.

There is a window in the first floor of the side elevation of No.27. However, the changes are minor and although there is an increase in height of the roof terrace wall it is not considered to be significantly different to the previous position. As such it is not considered harmful to the amenity of the adjoining occupiers in No.27. There is no impact upon the occupiers of No.31.

Therefore, it is considered that the proposed development will not lead to an unacceptable impact upon the amenity of adjoining occupiers.

There are no parking implications arising from the proposed development.

In summary, on balance the proposed development is not considered to be visually obtrusive or prominent to merit refusal of planning permission and also it would not have an adverse impact on the visual or residential amenity. The proposed development complies with adopted planning policy in the Arun Local Plan 2003 and the Felpham Neighbourhood Plan. As such the proposed development is therefore recommended for approval subject to the following conditions.

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 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 41-17 B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7the Arun District Local Plan.
- 3 **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.