

Recommendation Report for Planning Permission

REF NO: FP/257/21/PL

LOCATION: Newholme Dental Surgery
61 Middleton Road
Felpham
PO22 6BW

PROPOSAL: Single story rear extension with alternation to provide an additional surgery room, Staff room and office space and better accessibility. This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension.
BOUNDARY TREATMENT	The site has fencing to the rear and side boundaries to a height of 1.7m.
SITE CHARACTERISTICS	The site is occupied by a detached a chalet bungalow which serves as a dentist. The property has 3 surgery rooms with 2 in the loft space. The site features a driveway to the eastern side with a detached garage to the north eastern boundary.
CHARACTER OF LOCALITY	The area is predominately residential.

None.

REPRESENTATIONS

Felpham Parish Council provided no objection.

1 letter of support from a nearby occupier
- More spaces for more patients to be seen.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIESArun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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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.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

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

DESIGN AND VISUAL AMENITY

The extension is located to the rear of the property and is not visible from the wider area.

The proposal will have a width of 5.9m running along the rear of the property and depth of 5.25m. It will have a flat roof and extends in line with the eaves of the dwelling and is not considered to have an unduly harmful impact upon the visual appearance or character of the property.

This extension is well integrated and appears subservient to the host dwelling. The addition whilst extending beyond the rear of neighbouring building lines appears in scale and is not an overdevelopment of the site.

Materials will match that of the host dwelling appearing sympathetic to the building.

The Arun Design Guide states 'The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable. Additionally Garden amenity space to at least 10.5m should be preserved'. The proposal complies with this.

Being unseen from the street scene and wider area, the proposal is not considered to result in adverse impact upon the character of the area and is accord with D DM1 and D DM4 of the Arun Local Plan. It also complies with Part M of the Arun Design Guide and ESD1 of the Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposal will have a depth of 5.25m and a height of 2.85m. This retains 3.3m to the eastern boundary and an additional 3m to the side of the neighbouring dwelling and whilst it does extend somewhat beyond the neighbouring building line, it does not intersect a 45 degree angle and is not considered to result in adverse overbearing or overshadowing.

To the western side, the extension is angled towards the boundary with only around 0.65m to the boundary fencing. It will extend around 2.2m beyond its rear building line however again does not appear to intersect a 45 degree angle when a line is drawn from the ground floor windows closest to the boundary. As a result the extension will not result in adverse harm upon this elevation.

There will be openings to the rear elevation and a window to the east. Being single storey views are not considered adverse or to increase from that which are possible from standing in the garden with boundary treatment in place to help screen views.

The property is currently used for business purposes and serves as a dentist. The extension will enable another surgery room and a staff room. The use is not considered to result in noise impacts additional to that already achieved.

The proposed development will not result in adverse harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

PARKING

There is a driveway which runs along the eastern side of the property. This allows for some parking at the rear of the site which appears to be how the arrangement currently operates. There is plentiful on street parking in such that the addition of 1 surgery room would not result in an adverse impact upon the

highway or parking in the area.

SUMMARY

The proposed development is deemed to accord with relevant development plan 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
 - Location and Block Plan - PL100 C03
 - Proposed Elevations - PL400 C03
 - Proposed Floor Plan - PL200 C03

 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 **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.