

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

REF NO: FP/259/17/HH

LOCATION: 22 North Way
Felpham
PO22 7BT

PROPOSAL: Two storey rear infill & two storey side extension for loft conversion with 2 No. dormers at rear & 1 No. dormer to front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed side extension measures approximately 1.6m wide, 7.4m long and 7.7m height (max to ridge of resultant main roof). The rear infill extension measures approximately 2.3m deep, 3.2m wide, 7.7m high (max to ridge of resultant main roof). The proposed extensions also include the remodelling of the roof to provide a first floor of accommodation with the provision of a roof with bonnet hips and two dormers to the rear and one dormer at the front. In addition, the scheme involves the conversion of the 3 existing attached garage. Materials would match the existing property.
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	The front of the property has a low brick wall approximately 0.5m high with hedge behind up to approximately 1.3m. There is a vehicle access with gates to the front. To the rear there is a timber fence to the side approximately 1.8m high and 1m high and 1m high at the rear boundary.
SITE CHARACTERISTICS	Detached single storey property with a steep pitch hipped roof and is constructed of render with a tile roof. The property is set on a modest plot.
CHARACTER OF LOCALITY	Residential comprising a range of properties of varying size and style including two storey properties. To the rear the site is bounded by farmland.

RELEVANT SITE HISTORY

No relevant planning history

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council

Felpham Parish Council have no objection.

3 letters of objection have been received. All the objections refer to the lack of parking for a 4 bed property and that there are parking issues on the street. One objection considered that increased on street parking will lead to difficulty in manoeuvring their vehicle in and out of their driveway.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments are noted and addressed in the conclusions to this report

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

None

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
GEN12	Parking in 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
T SP1	Transport and Development

[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 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 conflict with policy DEV19 in that it would have not be subservient to the

existing dwelling.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background namely that the extension would not be out of character with the area or cause demonstrable harm to residential amenities.

CONCLUSIONS

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

The proposed side extension would be sited approximately 1m off the boundary with No.24 to west. No. 24 is detached chalet bungalow. The proposed development would be of comparable height to the ridge of No.24 and as mentioned there are a variety of property styles in the road. The proposal will involve the removal the conservatory. The proposed extension would be built up to the ridge level of the resultant house to provide first floor accommodation.

The rear infill extension would infill the existing set in section of the house with the removal of the steps leading up to the door. Again the extension is incorporated into the overall cumulative design to provide first floor accommodation.

Materials would match the existing property. When the development is considered as a whole it is not considered that the proposed extensions would be subordinate to the existing property, however, given the design and the established pattern of development it is not considered that property would be harmful to the character and appearance of the wider area.

The proposed extension is set in 1m from the boundary with No.24. No windows are proposed in the side elevation facing No.24 and any future openings and windows could be controlled by a suitable condition. Therefore, there will be no loss of privacy to the occupiers of No.24. Likewise given the position of the resultant dwelling and the design of No.24 the proposal is not considered to lead to a loss of outlook either to the occupiers of this property

With regard to the impact on No.20 the proposed extension would be set in 2.5m from the side boundary. There are two windows in the first floor of the proposed side elevation but these are to en suite rooms and a suitable condition to ensure they are obscure glazed would be appropriate. As such there will be no loss of privacy to the occupiers of No.20. In addition, given the position of the proposed development and the design of No.20 the proposal will not lead to a loss of outlook to the occupiers.

The proposed development would lead to a loss of the existing garage. The area to the front of the property and the rear of the pavement would be approximately 3.5m so is not sufficient to park a car. There will be no other space for off street parking for the resultant 4 bedroom property. This will lead to the need for on street parking. Although, it is considered that there is limited amount of space for on street parking due to existing vehicle accesses and crossovers and given the opportunity to park on both sides of the street, it is not considered that such matters are so severe as to merit refusal of permission and the proposed development would not conflict with GEN7 and GEN12 of the Arun Local Plan 2003.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the character and appearance of the host property or the amenity of adjoining occupiers at No.20 and No.24. The loss of parking is not considered sufficient to merit refusal. As such, the proposed development would comply with policies in the Arun Local Plan 2003 and

the Felpham Neighbourhood Plan.

Therefore, the application is 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 plans
236/01, 236/02, 236/03, 236/04 & 236/05.

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 materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The windows on the east elevation of the building shall at all times be glazed with obscured

glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 No windows (other than those shown on the plans hereby approved) shall be constructed in the east and west elevation of the extension hereby permitted which adjoins the side boundary with No.20 and No.24 North Way respectively without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 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.