

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

REF NO: FP/26/15/HH

LOCATION: 5 Dryad Way
Felpham

PROPOSAL: Single storey rear extension, new porch & shiplap cladding to first floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to a single story rear extension to the rear of this dwelling. This would provide an enlarged kitchen/dining area and an extension to the rear of the existing side garage serving the dwelling. The garage would also be converted into living accommodation, for which planning permission is not required as the works are internal, apart from a new wall, door and window to the front elevation.

The rear of the main house would be extended by 3.6m in depth. The extension would be across the whole of the back of the main dwelling and be 7m in width. The extension would have a flat roof with parapet wall. The height would be 2.9m and the extension would include a central roof light visible over the parapet wall. There would be a distance of 1.74m between the side of the extension and no. 7 adjacent, this is the same as for the existing side wall of the dwellings.

The extension to the rear of the converted garage would be located on the boundary with no. 3 adjoining. It would increase the garage depth by 3m and would also have a flat roof in continuation of the flat roof of the existing garage and be 2.5m high.

A replacement front porch is also proposed, this would have a sloping tiled canopy, supported on 4 timber posts.

It is also proposed to clad all of the first floor walls of the dwelling with shiplap, although the nature of material and colour has not been specified..

SITE AREA	The site area is approximately 0.03 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	The area is a medium density residential one and has been developed with a mixture of two-storey house types.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front and front side boundaries of these dwellings are open. The subject dwelling is linked to no.3 by the car ports serving both dwellings, apart from supporting columns these are open where they meet. To the rear of the car ports are garages serving the dwellings and these adjoin each other. there is a panel fence between the front corners of no.5 and no.7. Rear and rear side boundaries are a mixture of planting and fencing.
SITE CHARACTERISTICS	The site is occupied by a detached dwelling, although this is linked to no.3 adjoining by the rear garages with car ports to the front serving both dwellings. Including the car port there is parking for at least 3 cars. The dwelling is red/brown brick at ground floor and render at first floor. it has gables to front and rear and side eaves. The roof is profiled brown roof tiles. An existing front porch is formed by a flat roofed canopy over the front door and this has open sides sand front.
CHARACTER OF LOCALITY	Adjoining dwellings are of the same design as the application dwelling and the area is a medium density residential one.

RELEVANT SITE HISTORY

No planning history.

REPRESENTATIONS

Representations received:

Felpham Parish Council

Felpham Parish Council raises no objections and comments that it considers that the proposal accords with the Neighbourhood Plan.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

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
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Felpham Neighbourhood plan has no policies of relevance to this proposal.

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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the alterations and extensions described in this report and will inevitably result in a change to the appearance of the dwelling. However, the rear extensions will not be generally visible and their design is considered to be acceptable. The replacement front porch canopy has very limited visual impact, subject to materials. Visually, the design is considered to be acceptable and sympathetic and would visually integrate with the dwelling and surrounds.

It is considered that further details/specification of materials is required. This is because materials

and finishes are not fully specified in the application.

It is therefore considered that the proposed dormers and velux roof lights are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The rear extensions are not considered to result in a loss of amenity, since they are screened from adjoining dwellings and overlooking does not arise from openings. In addition, the height and separation from adjoining dwellings are such that light loss or dominance in outlook are not an issue.

Finally, car parking remains satisfactory with at least 3 car spaces.

The proposed works are considered not to result in any significant harm such that planning permission ought to be reasonably withheld.

It is therefore recommended that the application be approved, 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 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 (negative, Neutral or positive) 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).

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 drawings:

1435.09A - Block Plan
1435.04 - Proposed Ground Floor Plan - Dated Jan 2015
1435.05 - Proposed First Floor Plan - Dated Jan 2015
1435.06A - Proposed Elevations - Dated Jan 2015
1435.07 - Proposed Roof Plan - Dated Jan 2015

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 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls (including shiplap cladding) of the proposed extensions has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions and works.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **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.