

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

REF NO: FP/26/18/HH

LOCATION: 9 Wallner Crescent
Felpham
PO22 7QE

PROPOSAL: Increase size of dormer to front elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to enlarge the existing front dormer, by 1.3m in width, 1m in height and 1m in length.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	No front boundary treatment.
SITE CHARACTERISTICS	1.5 storey detached dormer bungalow. Yellow brick to ground floor and interlocking concrete tiles to the roof. Existing attached garage on the Northern side protrudes forward slightly. Existing single storey small porch structure. Parking in the form of a garage and space off road on the drive for a further 3-4 cars.
CHARACTER OF LOCALITY	Residential. Predominantly bungalows in a similar style but all with slightly different dormers.

RELEVANT SITE HISTORY

FP/214/15/HH	Single storey extension to front, increase size of front dormer & change roof covering from concrete interlocking tiles to natural slates.	ApproveConditionally 15-12-15
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None.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council
Parish Council - No objection.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

PD restriction

Open Plan Condition

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

[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 Main Modifications to the Arun Local Plan (2011-2031) were previously out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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).

Felpham does have a 'made' neighbourhood plan, of which Policy ESD1 is deemed to be relevant 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 located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies. In this case, the key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

Due to the position of the proposed development, it will be visible from the street scene, however, the proposal is not deemed to have an unacceptably adverse impact on the established spatial pattern of the area. This is because the proposal does not cause the dormer to extend beyond the gable end, and therefore there is no change in the distance between the properties. As a result of this, the proposal is deemed to be in accordance with GEN7(iv) and DEV19(v) of the Arun District Council Local Plan.

The proposed development is deemed to appear subservient and well integrated to the host dwelling, this is as a result of the ridge height of the extension matching the ridge height of the existing rear dormer, both in terms of height of dormer, and distance from the host dwellings total ridge height. This produces an attractive symmetry and creates a sense of visual unity for the host dwelling. Therefore, the proposal is deemed to be in accordance with GEN7(ii), DEV19(i) and (ii) of the Arun District Council Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal is not deemed to have a significant overshadowing or overbearing impact on adjacent properties, due to its relatively modest scale and siting on the host dwelling. When taking a 45 degree angle from the development site to adjacent properties to the North and South, the distances are 15.4m and 41m respectively. These distances are considered to be adequate to prevent any significant change in the overlooking from the host dwelling, which if anything, may reduce, do to the reduction in the amount of windows and general fenestration on the development.

It is considered that the proposal is in keeping with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposed development is considered to comply with the relevant development plan policies and therefore, the application is recommended for conditional approval.

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 plans:

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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 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.