

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

REF NO: FP/26/22/HH

LOCATION: 43 Limmer Lane
Felpham
PO22 7HD

PROPOSAL: First floor rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a first floor rear extension.

REPRESENTATIONS

Felpham Parish Council - No Objection

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built Up Area Boundary
2km Buffer for Site of Special Scientific Interest
CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

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

[Felpham Neighbourhood Plan 2019-31 Policy ESD1](#) Quality of Design

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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CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Part M and criteria outlined in the Arun Design Guide is also considered.

Felpham has a 'made' Neighbourhood Development Plan, of which Policy ESD1 is relevant. This policy is concerned with the design of development and states new development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and contribute to local character by creating a sense of place appropriate to its location.

DESIGN AND VISUAL AMENITY

The proposal is to the rear of the property and will not be clearly visible from the public realm.

The extension will be on the first floor, and span part of the existing footprint of the dwelling, with a depth of 5.9m and width of 6.48m. It will have a gable roof, matching the design and pitch of the host. This is well integrated with the character of the property and will have minimal impact on visual amenity. The proposal itself is quite tall, but does not unduly overbear on the property, and is appropriate in scale and massing. Although being to the rear, the extension does protrude slightly to the side, and will be visible from points on the street scene. This visibility is limited, and only possible when stood to the front of the property. It retains 26m from the front boundary, and will have insignificant impact on the composition or appearance of the street. The proposal is in keeping with the character of the property, and the locality, and is acceptable.

The proposal appears subservient to the design of the host and is well integrated. A condition will be included requiring that the materials used will match the existing. This will ensure the proposal integrates sympathetically with the host and does not appear visually intrusive on its character or appearance.

Part M of the Arun Design Guide states that rear extensions should respond to the distinctive characteristics of the building and surrounding area, and exploit opportunities for innovative and contemporary design where appropriate. The proposal follows the design style set by the host and integrates well with the existing. It is in accord with the Design Guide.

The development will not result in adverse impact on visual amenity, or to the character of the area, and is in accord with D DM1 and D DM4 of the Arun Local Plan, the Neighbourhood Plan, and Part M of the Arun Design Guide.

RESIDENTIAL AMENITY

The proposal will be at first floor level and will have a gable roof at a height of approximately 6.2m, and 2.7m at the eaves. This roof will include the installation of four rooflights, all of which are flush, and will pose little risk of overbearing or overlooking. Around 4m will be retained to the east boundary, 5.8m to the north, and 1m to the west by the proposal. D DM4 (d) of the Local Plan states that any extension or alteration at first floor level should not come to within a minimum of 1m of the side boundary, of which the extension complies with.

Although retaining the existing footprint, the proposal is quite tall, and will result in some overbearing and overshadowing of No.41 to the west and No.45 to the east. However, given the staggered nature of the host and proximity from the neighbouring buildings themselves, this impact will be minimal, and will not be unduly harmful to residential amenity. The proposal is in accord with D DM4 and will not result in unacceptable overbearing or overshadowing of neighbouring properties.

In addition to the rooflights, the extension will feature a set of windows to the north elevation. These windows will overlook the garden of No.16 to the rear but will not directly face the property. As such they pose no risk of significant harm to residential privacy or amenity and are acceptable. This window and

the rooflights provide similar levels of overlooking to that which can already be obtained into neighbouring properties.

The Arun Design Guide states that extensions should not negatively impact, and instead protect, neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings, and respond to existing elevations through the size and positioning of doors and windows. The proposal complies with this and is in accord with the Design Guide.

The development will not result in adverse overbearing, overshadowing, or overlooking of neighbouring properties, and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Arun Design Guide.

SUMMARY

The proposed development is deemed to accord with the 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.

CIL DETAILS

This application is not CIL Liable.

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
- Block Plan
- Proposed Plans

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

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun 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.