

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

REF NO: FP/275/17/HH

LOCATION: Amblegait
30 Admiralty Road
Felpham
PO22 7DW

PROPOSAL: Extension & alterations to replace existing single storey detached garage with two storey garage studio attached to existing loggia & balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application proposes the erection of a two-storey replacement garage which will include a first floor bedroom/sitting room with en-suite. This will be accessible internally via stairs off a new garden room linking the garage to the main dwelling. The proposed extension would have a partially hipped roof to front and rear and a ridge level lower than that of the existing dwelling. The garage would have front and rear 'through' garage doors. No external side openings are proposed. First floor openings would be to the front and rear. To the rear of the dwelling and the extension a balcony is proposed which would replace an existing smaller balcony on the main dwelling. Materials are proposed to match the existing dwelling.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site boundaries are a mixture of 1.8/2m fencing and 2m/2m hedging.
SITE CHARACTERISTICS	The site is occupied by a relatively large detached dwelling located in a prominent corner location. The dwelling is white rendered and has a roof of small plain clay tiles, with a mixture of roof pitches. The existing single storey garage to the side has a flat roof. To the front of the dwelling and mainly screened by 2m/3m hedging is parking for 3 to 4 cars.
CHARACTER OF LOCALITY	The area has a mixed residential character with dwellings of varied designs and materials. To the west side of the dwelling is a nursing/rest home. This has a dormer facing the site which has 2 sets of obscure glazed windows serving bathrooms. To the south is a bungalow with windows facing the site, although there is planting partially screening.

RELEVANT SITE HISTORY

BR/175/62	Dwelling	ApproveConditionally 29-11-62
BR/210/54	Outline Application For Erection Of 3 Houses Or Bungalows And Garages	ApproveConditionally 26-11-54
BR/210/54/A	Alterations And Additions	Approve 11-03-57
BR/210/54/D	Garage	Permit'd Devel
FP/142/97	Single storey extension to provide new entrance hall, bathroom, utility and cloakroom	ApproveConditionally 10-12-97
FP/191/00/	Extension to form additional bedroom on first floor and new dormer window to bathroom	ApproveConditionally 08-12-00

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Felpham Parish Council raises no objection.

No representations have been received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

No consultees.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Site Adjoins Flood Zone 2, but Development Outside.

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 \(October 2014\):](#)

SD SP2	Built -Up Area Boundary
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

Felpham Neighbourhood Plan 2014 POLICY ESD5 Surface water management

Felpham Neighbourhood Plan 2014 POLICY ESD10 Design details

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.

Felpham NDP policies are relevant to this application and the development is considered to be consistent with these policies.

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 within the built-up area where the principle of development is acceptable, subject to according with planning policies. The main criteria against which the application will be assessed is the Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these seek to ensure development would not have an adverse impact upon visual and residential amenities. Other criteria are policies ESD1, ESD5 and ESD10 in the Felpham Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

This application will result in limited change to the appearance and limited enlargement of the dwelling. The proposed extensions are of similar and sympathetic design and materials. Visual impact is very limited given that the extensions sit towards the rear part of the dwelling and are set back from the highway. The height increase adjoining the rest/nursing home is generally set within outline/scale of the existing dwelling and there is no impact on outlook. The proposal is not considered to give rise to harm to visual amenity.

RESIDENTIAL AMENITY

No side windows are proposed and a condition can be imposed to prevent provision of future openings in the side elevation. This will prevent amenity/privacy loss to the adjoining rest/nursing home, albeit that the windows facing the application site are obscure glazed in any event.

To the rear of the site, the adjoining bungalow has 2 relatively high level windows facing the site and also 1 larger full sized window. However, these are partially screened by boundary planting within the site and these are not main windows. Development will not be appreciably closer to the rear boundary and there is therefore no harmful impact on this sense.

The balcony as proposed is enlarged, however main views from this are almost certain to be across/above the roof of the adjoining bungalow southwards towards the sea. Taken with the partial screening of what are secondary side windows, the proposed balcony is not considered to result in harm to the privacy/amenity of the bungalow such the refusal would be justified.

SURFACE WATER DRAINAGE & DESIGN DETAILS

The extension is relatively limited and will not give rise to appreciable increase in surface water drainage requirements. As such it is not considered require further provision. Similarly, the proposed development is not considered to give rise to additional requirements for bin storage, cycle storage, etc.

PARKING

The proposal does not give rise to an additional parking requirement and the existing level of provision is satisfactory.

SUMMARY

The development proposed does not give rise to unacceptable harm to visual or residential amenity and is in accord with policies and it is therefore recommended that planning permission be granted 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:

Drawing Number PL001 - Proposed Plans & Elevations - Dated August 2017

Drawing Number PL002 - Proposed & Existing Roof & Location & Block Plans - Dated October 2017

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 roofs of the development hereby permitted shall match as closely as possible in type, colour and texture those of the existing dwelling.

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

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings shall be formed in the west side at first floor level of the extension without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 5 **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.