

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

REF NO: FP/275/21/HH

LOCATION: Ciel  
The Ridgway  
Felpham  
PO22 7JQ

PROPOSAL: Erection of single storey rear extension including the installation of roof lanterns following the demolition of existing conservatory.

**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

This application seeks to construct a single storey rear extension, including the installation of roof lanterns, following the demolition of an existing conservatory.

**REPRESENTATIONS**

Felpham Parish Council - No Objection

No representation received from nearby occupiers.

**CONSULTATIONS****CONSULTATION RESPONSES RECEIVED:**

Tree Officer - No response

**POLICY CONTEXT**

Built Up Area Boundary

TPO

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

**CONCLUSIONS****PRINCIPLE**

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

Felpham has a 'made' Neighbourhood Development Plan, of which Policy ESD1 is of relevance to this application. Policy ESD1 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 dwelling, of which is a two storey detached property, and as a result will not be clearly visible from the street scene.

At present, there is a conservatory to the rear of the property. The extension will replace this, extending slightly further west than the existing footings, with a depth of 7m and width of 3.84m. It will have a flat roof, which will join to and match the design of an existing rear extension. This will differ to the hipped roof of the main dwelling, but will integrate well with the existing extension and have minimal harm on the visual appearance and character of the property. The Ridgway has a mixed composition, with the majority of properties being detached two storeys, all exhibiting a variety of design styles. The proposal is in keeping with the character of the property, and with that of the neighbouring properties in the locality. Although being to the rear, the proposal protrudes slightly higher than the existing front garage, and will be partially visible from the street scene. This visibility is minimal and insignificant, and will have no adverse impact on the composition or appearance of the street.

The proposal is subservient to the design of the dwelling and is well integrated, following a similar design to the existing. The materials match the existing, aiding this integration, and as a result, the development poses no risk of adverse harm to visual amenity. The extension itself is well designed, and will contribute positively to the character of the property, and the locality. This is in accord with ESD1 of the Neighbourhood Plan.

Part M of the Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. The proposal maintains the established building lines, and is respectful to the design and character of its context. It preserves a sufficient amount of garden amenity space and is in accord with Part M other than the depth it extends into the garden.

The development is not considered to have an 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, ESD1 of the Neighbourhood Plan, and generally with Part M of the Arun Design Guide.

**RESIDENTIAL AMENITY**

The proposal is single storey and will have a flat roof, joining up with an existing extension. This roof has a height of approximately 3.09m. The proposal includes the installation of three sky lanterns and two flat rooflights. The lanterns will protrude slightly above the roof, at a height of approximately 3.63m but will

not be unacceptably overbearing. A distance of 1.273m to the north, 6.33m to the west and 10.403m to the south boundaries will be retained. The Arun Design Guide recommends the use of the 45 degree rule for rear extensions, in order to work out impact on neighbouring properties. The proposal meets this rule, and given its scale, is not considered to be unduly overbearing or overshadowing of neighbouring properties. It retains more than 1m from the closest neighbouring boundary, and will have no adverse impact on residential amenity. This is in accord with D DM4.

The proposal allows for a new games room, and will include the installation of a new bathroom in the utility room. It will feature a window to the furthest western elevation, set of glass doors to the south and new door to the west elevation of the existing extension. It will include five rooflights, all of which will have no adverse impact on residential amenity. The features to the west will result in little overlooking of neighbouring properties, as they are a significant distance from the neighbouring properties to the rear, and are separated by a tennis court. The doors to the south face towards the rear garden of No.23, and risk potential overlooking. Given their height and proximity from the boundary, they are not considered to be unduly harmful to neighbouring privacy and amenity, and are acceptable.

Part M of 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 is respectful to the privacy of the neighbouring properties and exhibits no features that may unacceptably impact residential amenity. This is in accord with Part M.

The development will result in no adverse harm to residential amenity, and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Part M of the Arun Design Guide.

#### **TREES**

The proposal will include the removal of one tree (T1) which is situated to the north, between the proposal and the neighbouring boundary. The site is covered by a TPO (Bognor No.5), but T1 itself is not covered by an individual order, nor is in a conservation area or a significant contribution to the area. Therefore, the loss of this tree is acceptable for the development of the proposed works.

#### **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.

|                         |
|-------------------------|
| <b>HUMAN RIGHTS ACT</b> |
|-------------------------|

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 Plan L01 and Block Plan B01
  - Existing Elevations A101 and Existing Floor Layouts A103
  - Proposed Elevations A102 and Proposed Floor Layouts A104
  - Roof Plans A105
 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 **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.
- 4 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 5 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc ) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s)

for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.