

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

REF NO: FP/27/19/HH

LOCATION: 29 Blackthorn Avenue
Felpham
PO22 8GA

PROPOSAL: Single storey rear extension, re-siting of boundary wall & new vehicular access.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension. The proposal also seeks to resit the boundary wall to the east elevation and construct a new vehicular access to the front of the dwelling.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Felpham Parish Council provided an objection on the grounds of highway safety and the detrimental impact upon the street scene.

1 letter of objection from a nearby occupier.

- The extension will cause visual obstruction to the vehicles existing the garage block.
- The vehicle will be existing the parking space on a blind corner.

Comments noted. A condition will be included in which visibility splays will need to be submitted to ensure there is adequate visibility for vehicle movements.

CONSULTATIONS

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC- The proposal indicates that the re-sited boundary wall will not encroach on the verge to be adopted by WSCC. The space would be expected to be 2.4 x 6m. Visibility has not been demonstrated at the proposed site access. The LHA would advise that maximum achievable visibility splays are conditioned.

Comments noted. A substitute plan was submitted so the size of the space met with the proposed standards requested by the WSCC.

POLICY CONTEXT

Designation applicable to site:
 Built up area boundary
 Tree Preservation Order
 Area Special Control (A.S.C)

DEVELOPMENT PLAN POLICES

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)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	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

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Felpham has a 'made' Neighbourhood Plan with policy ESD1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal is situated to the front, side and rear of the dwelling and is therefore visible from the street scene.

There is currently a grassed area running along the side elevation of the dwelling followed by a footpath. This grassed area will be used to construct a parking space. An existing boundary wall will also be re-sited to allow for the construction of a rear extension. The wall currently extends a depth of 2m past the east side elevation and then towards the rear boundary. The proposed extension will however extend past the side elevation to the same depth as the existing boundary wall and as a result the wall will be re-positioned to extend a further 2.1m towards the footpath to the east retaining 1.1m.

As the extension extends slightly beyond that of the eastern elevation of the dwelling it is visible from the street scene. The surrounding properties are a similar design and style with the housing being a relatively new development and as a result the extension is likely to appear slightly out of character in such that no other dwellings has this. However the extension is fairly modest in size and retains the appearance of the dwelling with the use of materials to match the existing and therefore the impact upon the spatial pattern is not considered significant.

Whilst the re-siting of the wall will remove some of the grassed area to the side of the dwelling, it is not considered to adversely impact the appearance of the area and the proposal is

As a result of the size and design It is not considered that there would be any adverse impact upon the

established character or spatial pattern of the surrounding area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension will retain 0.6m to the boundary at No.28. Whilst this is close it is not considered any overbearing or overshadowing impact upon neighbouring amenity would be significant in which a refusal is justified.

There are no known PD restriction at the site and therefore an extension could be constructed to a height of 4m and 3m depth without permission. This extension is 2.85m in height and extends 3.3m and therefore it is not considered to give rise to any adverse impacts upon the neighbouring property additional to that which could be completed without permission.

There is a door and window installed to the rear elevation of the extension however with the development at single storey any views are to be of the rear garden and not considered additional that which is already achievable with an existing 1.2m conservatory addition.

With no neighbours to the eastern elevation, the re-siting of the wall is again not considered to give rise to any adverse impacts upon neighbouring amenity.

The proposal is not considered to harm neighbouring amenity by way of overshadowing, overbearing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development 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.

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
 - Existing Plans and Proposed Roof Plan - Sheet 2 of 3
 - Proposed Plans and Elevations, Location and Block Plan - Sheet 1 of 3
 - Existing and Proposed Wall and Vehicular Access - Sheet 3a of 3.
 Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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 DDM1 of the Arun Local Plan.
- 4 No part of the development shall be first occupied until the maximum achievable visibility splays have been provided at the proposed site vehicular access onto Blackthorn Avenue in accordance with plans and details to be submitted and approved in writing by the Local Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6metres above adjoining carriageway level or as otherwise agreed.

Reasons: In the interest of road safety and in accordance with DDM1 of the Arun 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.