

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

REF NO: FP/30/20/PL

LOCATION: 9A Felpham Road
Felpham
PO22 7AS

PROPOSAL: Reinstatement of exterior staircase to the rear providing access to and from existing first floor flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The external staircase would rise from ground to first floor level and have a landing platform, providing access to the first floor flat from the rear of the building. It is assumed the staircase would be constructed from steel. The drawings show the existing first floor rear window on the southern elevation would be replaced with a door providing access into the first floor flat.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

No objection.

No representations received from local residents.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Inside Built-Up Area Boundary
Flood Zone 2 and 3

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
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
QESP1	QE SP1 Quality of the Environment

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

Felpham Neighbourhood Plan 2014 POLICY ESD10 Design details

Felpham Neighbourhood Plan 2014 POLICY ESD9 Tree protection

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

The site consists of a two storey, mid terrace property, sited within a parade of commercial premises at ground floor level and flats above at first floor level. It is located on the western side of Felpham Road, within the Built-Up Area Boundary of Felpham, and the area has a suburban character. The application property itself consists a Chinese takeaway at ground floor level and a residential flat at first floor level. The rear of the site is found on Kingsmead and consists a small rear courtyard/garden area with bin storage and garages.

PRINCIPLE:

The site is in the Built-Up Area Boundary, where the principle of development is acceptable, in accordance with policy SD SP2 of the Arun Local Plan.

VISUAL AMENITY:

The external staircase would be sited at the rear of the site, so would not be visible from Felpham Road, and would only be partially visible in public views from Kingsmead at the rear. The majority of the structure would be hidden and screened from public view, given the layout of the building at the rear and the presence of garage buildings. It would be visible from one private property, 3 Kingsmead. The visual appearance of the rear of this parade is already compromised by the presence of metal flue pipes (serving the takeaways) and there is an existing rear external metal staircase to the adjacent property, 7 Felpham Road. The change from a window to an entrance door at first floor level on the southern elevation would have a nominal visual impact. The external staircase and fenestration alteration would have an acceptable impact on the visual amenity and appearance of the area, and would accord with Arun Local Plan policies D SP1, D DM1 and D DM4 and Felpham Neighbourhood Plan (2014) policies ESD1 and ESD10.

RESIDENTIAL AMENITY:

The external staircase would pass the ground and first floor rear windows of no.9 and no. 7 next door. However, at ground floor both these buildings are commercial units (takeaways) and, as such, the proposed external staircase would not result in any significant harmful overbearing and overshadowing impacts to the ground floor level of these properties. Next door, no.7, itself has an external rear staircase providing access to the upper floor flat. It is possible that the landing platform of the proposed external staircase could be used for outside seating for the occupants of the flat. This could result in very close overlooking toward the landing platform/outside seating area of no.7 next door and intrusive angles of views into the windows of this neighbouring first floor flat, one of which serves a living room (habitable room). As such, it is recommended that an obscure glazed screen to a height of 1.7m is to be installed to

the southern elevation of the landing platform to the proposed staircase, to avoid overlooking impacts on these neighbours at no.7. Subject to this, the proposals would protect neighbouring amenity, in accordance with Arun Local Plan policies D DM1 and QE SP1.

OTHER MATTERS:

The site is in Flood Zone 2 & 3, however, given the nature of the proposal, flooding is not considered to be an issue. The closest tree appears to be in the garden of 3 Felpham Road, and there are no trees on or adjacent to the rear of the site that could be affected by the proposals. The proposals therefore protect trees, as required by policies ENV DM4 of the Arun Local Plan and ESD9 of the Felpham Neighbourhood Plan.

SUMMARY:

The proposals, subject to condition, would have an acceptable impact on the visual and residential amenity of the area, in accordance with policies in the Development Plan, and is therefore to be approved.

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 CIL exempt, since it is for an external staircase and change to fenestration, and would not result in any new residential floor space.

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:

- Site and Location Plan, received 02/03/2020
- Proposed Plans & Elevations, received 04/03/2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4 and QE SP1 of the Arun Local Plan and policies ESD1 and ESD10 of the Felpham Neighbourhood Plan.

- 3 An obscure glazed screen to a height of 1.7m, in accordance with details approved by the Local Planning Authority. shall be installed to the southern elevation of the landing platform to the proposed external staircase within one month of the erection of the staircase, and thereafter be so maintained.

Reason: To protect the residential amenity of neighbouring occupants, in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 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.