

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

REF NO: FP/32/18/HH

LOCATION: 16 Crossbush Road
Felpham
PO22 7LS

PROPOSAL: First floor extension over existing garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Extension above the existing attached garage to create new 5th bedroom. Matching eaves height. Ridge to be 0.6m lower than the existing. New first floor windows to face north and west. Matching bricks & tiles.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Timber fence with gates circa 1m high to the front. 1.7m high close boarded fence to no. 18.
SITE CHARACTERISTICS	Existing two storey detached dwelling with single storey flat roofed garage projection at the front. Red bricks and curved concrete tiles. Double garage with driveway space for 3 further cars in front.
CHARACTER OF LOCALITY	Residential private estate comprising predominantly detached two storey properties of various styles and designs.

RELEVANT SITE HISTORY

FP/68/02/	First floor extension over garage	ApproveConditionally 17-05-02
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Application FP/68/02/ is relevant as it is essentially the same as what is now sought on no. 16.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council
"No objection"

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary; and
Tree Preservation Order (Bognor No. 3).

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#)

Felpham Neighbourhood Plan 2014 POLICY ESD5

Design of new development

Surface water management

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 then subject to public consultation. The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017

and the Inspector then wrote to the Council to set out his 'Interim Views following the Hearings'. The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these were subject to public consultation between 12 January 2018 and 23 February 2018.

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.

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).

The relevant policies of the Felpham Neighbourhood Plan have been considered within this report.

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 boundary where development is acceptable in principle subject to normal development control criteria being satisfied such as in this case visual & residential amenity and impact on the highway.

RESIDENTIAL & VISUAL AMENITY:

Arun District Local Plan Policy GEN7 indicates that planning permission will only be granted for schemes displaying high quality design & layout and do not have an unacceptable adverse impact on adjoining occupiers. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene, not result in a terracing effect and be visually integrated with & sympathetically relate to the existing dwelling. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

Felpham Neighbourhood Plan policy ESD1 states that: "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 must contribute to local character by creating a sense of place appropriate to its location."

The proposed front extension will alter the appearance of the existing dwelling. However, this is not considered to be harmful as the height of the extension is to be lower than the main ridge this ensuring that the extension is subservient. Furthermore, the new two storey element is behind the building lines of the two neighbouring properties, both of which extend at a two storey height right up to the front building line. It is also noted that the extension will match that permitted to no. 14 in 2002. Thus there is not considered to be any harm to the character of the street scene. The proposal also seeks to use matching materials thus ensuring a seamless transition from existing to new build.

The new two storey element will be 1.5m from the shared boundary and a total of 3m from the two storey flank wall of no. 18. The new two storey extension will result in some loss of light/over shadowing to the existing windows in this elevation. However, these windows are secondary in nature and are also situated towards the front (northern) elevation of the neighbouring house. This impact is not considered to be harmful. The new west facing bedroom window will look out towards the existing east facing window on the two storey front projection of no. 14. The distance between these two windows will be around 13.5m and represents a shortfall on what would normally be expected between bedroom windows. However, having regard to the fact that the neighbours bedroom window already looks over the application site, it is considered acceptable to allow the opposite situation.

PARKING:

There is considered to be sufficient parking available off street for the needs of this enlarged family dwelling.

SUMMARY:

It is considered that the application complies with all development plan policies and it is therefore recommended that planning permission be granted subject to the following conditions.

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:

Location Plan by getmapping.com;
Annotated Block Plan by UK Planning Maps;
Drawing D02 "Proposed Plans and Elevations".

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 roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.