

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

REF NO: FP/35/18/HH

LOCATION: 27 Gorse Avenue
Felpham
PO22 6AY

PROPOSAL: Removal of existing conservatory with erection of single storey rear extension & alterations to roof to provide gable end & rear dormer projection to existing first floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal will remove a 3.5m deep, 3.7m wide conservatory and replace it with a rear extension the width of the dwelling (6.3m) and being 2.4m deep. It is then proposed to add a gable end to the existing side hipped roof and also add a dormer to the rear elevation. This rear dormer will be 1.4m deep, 1.3m high and 2.9m wide. It will finish about 0.4m below the ridge line. It is proposed to use matching brick, render and roof tiles but to introduce new yellow coloured cladding to the dormer and the gable end. The roof extension will add a new bedroom giving the property a total of 4.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	* 1m rising to 1.8m close boarded fencing to no. 25; and * 1m (front) & 1.7m (rear) close boarded fencing to no. 27.
SITE CHARACTERISTICS	Existing semi-detached bungalow. Yellow rough rendered with a clay tiled roof. Dormer to front, part hung tile, part horizontal plastic clad dormer. Velux window in the rear roof. Existing rear conservatory. Two off-street parking spaces to the front.
CHARACTER OF LOCALITY	Private residential estate. Gorse Avenue is predominantly characterised by bungalows and several of those on the northern side of the road are a match with the application property. However, there are some with first floors on the other side of the road and also no. 22 (almost opposite) has a side gable end.

Neighbouring properties as follows:

* 25 has a conservatory on the rear elevation but no first floor flank facing windows; and

* 29 is the adjoining semi. It has an existing rear extension to the same depth as 27's conservatory. No roof level rear windows.

RELEVANT SITE HISTORY

FP/167/13/	Proposed side, rear and first floor extension	ApproveConditionally 09-12-13
FP/61/13/	Loft conversion, single storey rear extension and new chimney	ApproveConditionally 03-07-13
FP/253/03/	Room in roof.	ApproveConditionally 16-01-04
FP/167/02/	Conversion of roof space to form bedroom	ApproveConditionally 18-10-02

Application refs FP/167/13/, FP/61/13/ and FP/253/03/ are included in the above list because they gave permission for gable end additions in the vicinity of the site.

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
No Public Sewer.

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 Design of new development

Felpham Neighbourhood Plan 2014 POLICY ESD5 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.

It is not considered that the rear extension could be considered as permitted development because the dwelling has previously been extended to the rear under permitted development rights (there was a building regulations application for a rear extension in 1997) and therefore, the proposed total depth of rear extensions is 5m.

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."

It is considered that the rear extension is acceptable in respect of development plan policy as it is to the rear of the house, is a subservient addition to the dwelling, will be designed to match the existing house, in part replaces and existing conservatory and will not be as deep as the existing extension on the rear of the neighbouring dwelling, no. 29. This being the case, it will have no impact on any of 29's rear windows. Further, given the width between the two properties, there will be no impact on no. 25's rear conservatory.

The proposed rear dormer is considered to be acceptable as it will have no impact on the streetscene of Gorse Avenue and will only be visible from a garage court attached to the Hartings to the rear. It will not therefore have a negative impact on the amenity of public viewpoints. The proposed dormer will be large but will still be a subservient addition set in from the sides and ridge. There is a small dormer on the rear of no. 25 therefore the principle of a rear dormer is acceptable.

The addition of the gable end on the existing roof is considered to unbalance the character of the existing front design of nos. 27 & 29 as a whole (being two adjoining semi's). However, there is already a precedent for this within the street scene as no. 22 which is almost opposite the property is a semi-detached dwelling and has an existing gable end. It is therefore considered that this will be an acceptable addition. The gable end will use tiles to match the existing and will therefore be in character with the existing roof. It is not considered given the gap between 25 & 27 that there will be any adverse loss of light to 25's existing ground floor secondary flank windows.

The proposal also seeks to introduce new cladding to the side of the gable end and to the dormer. There are no obvious examples of cladding elsewhere in the street scene yet the materials on dwellings is mixed with different shades of render and with brick. On this basis and given that the cladding will only be applied to a small proportion of the side & rear of the dwelling, it is considered that this will not result in any adverse harm to visual amenity. It is also noted that the proposed cladding is to be yellow and that the existing render is yellow therefore there will be a continuity of base colour.

Therefore, the scheme is not considered to have materially adverse impact on the visual amenity of the dwelling, character of the area or the residential amenity of adjacent dwellings.

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:

Sheet 1 of 3 - Proposed Ground Floor Plan, Location Plan, Block Plan;
Sheet 2 of 3 - Existing Floor Plans, Existing Elevations, Existing & Proposed Roof Plans; and
Sheet 3 of 3 - Proposed First Floor Plan, Proposed 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 **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.