

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

REF NO: **FP/3/13/**

LOCATION: 16 Ramillies Gardens
 Felpham

PROPOSAL: Single storey front extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a single storey front extension (8.2 x 2.5 x 5 metres).
SITE AREA	Approximately 437 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	N/A
BOUNDARY TREATMENT	Front - none.
SITE CHARACTERISTICS	Detached modern pitch roof bungalow constructed from red brick with part white cladding to front elevation.
CHARACTER OF LOCALITY	Residential cul-de-sac of detached modern bungalows of identical character and design in an open plan residential estate.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Felpham Parish Council

OBJECT because of the detrimental impact on, and not in keeping with, the existing street scene. It would set a precedent.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary
Permitted development restriction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and 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 located within the built-up area boundary, where the principle of new development is acceptable, subject to the impact on visual and residential amenity.

DESIGN

The proposal is for a single storey extension on the front elevation of the bungalow. The extension will have a tiled, pitch roof and front gable, and will measure 5 metres in height to the ridge, 8.2 metres in width and 2.5 metres in depth. The extension will be constructed in matching external materials. The design reflects the character and appearance of the host dwelling.

RESIDENTIAL AMENITY

The nearest neighbouring properties are nos 18 to the west and 14 to the east. Owing to the position, siting and scale of the proposed extension, there will be no adverse impact on residential amenity through overlooking, loss of daylight or privacy.

VISUAL AMENITY

The surrounding area is an open plan residential estate of detached modern bungalows of identical character and design. Bungalows in Ramillies Garden, have a uniform siting and layout and there is no formal front or side garden boundary, such that the proposed extension will be readily visible within the streetscene. Nos 14-22, located on the south side of Ramillies Gardens, have a distinct building line, and uniform siting and layout. Owing to its depth and forward project, the proposed front extension would project forward of this building line, appearing visually obtrusive and harmful to the streetscene, and disrupting the established building line. The proposal is therefore considered to be detrimental to the established spatial pattern and layout of the street, contrary to policies DEV19 v) and GEN7 of the Arun District Local Plan.

SUMMARY

In summary, the proposed front extension is considered to disrupt the established spatial pattern and layout of the street, and would be detrimental to the visual amenities of the area. It is therefore recommended that consent is refused on the following grounds:

HUMAN RIGHTS ACT

FOR REFUSAL

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 to private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of

others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 (Neutral) 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).

RECOMMENDATION

REFUSE

- 1 In the opinion of the Local Planning Authority, the proposed single storey front extension, by reason of its forward projection, would appear visually obtrusive within the streetscene and would disrupt the established spatial pattern and layout of the street, contrary to policy DEV19 v) and GEN7 of the Arun District Local Plan.