

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

REF NO: FP/54/15/HH

LOCATION: 14 Goodwood Avenue
Felpham

PROPOSAL: Removal of existing conservatory & erection of new single storey extension & raising of roof on existing store on western boundary.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 565 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the property consists of 1.5 metre high fencing behind a low 0.3 metre high brick wall. The rear and side boundaries of the property consist of 1.5-1.8 metre high close boarded fencing.
SITE CHARACTERISTICS	The site is occupied by a semi-detached bungalow which formerly formed a mirrored pair with 12 Goodwood Avenue. The property is of brick construction with the bricks painted white and a brown tiled roof. The property features an existing rear conservatory and a lean to garage on the western boundary.
CHARACTER OF LOCALITY	The locality of the site is residential in character with dwellings of various designs and styles.

RELEVANT SITE HISTORY

FP/228/14/HH	Single storey extensions and alterations to roof to provide gable ends to new loft conversion	ApproveConditionally 20-02-2015
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Planning application FP/228/14/HH granted permission for the conversion of the existing lean-to garage to provide residential accommodation and a single storey rear extension.

REPRESENTATIONS

Representations received:
Felpham Parish Council

No objection

Comments on Representations received:

Comments noted

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
GEN7
DEV19

Publication Version of the Local
Plan (October 2014):

Felpham Neighbourhood Plan 2014 POLICY
ESD1

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
SD SP2 Built-Up Area Boundary
Design of new development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and

statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. The Felpham Neighbourhood Plan has been made and as such policy ESD1 will be taken into consideration in the determination of this application.

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 situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case are policies GEN7 & DEV19 and policy ESD1 of the Felpham Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposal seeks permission for the demolition of the existing rear conservatory and its replacement with a single storey extension as well as planning permission for the increase in height of the existing store to provide additional residential accommodation.

The existing conservatory extends 5.9 metres from the rear wall of the original dwellinghouse and it is intended for the replacement extension to be constructed to the same footprint. The existing conservatory measures approximately 3.3 metres in height and the proposed extension is intended to measure 3.7 metres in height.

It is intended for the proposed extension to be constructed from materials which match in appearance those of the original dwellinghouse. This will ensure that the proposed extension is integrated with and appears subservient to the host dwelling in accordance with policies GEN7 (ii) and DEV19 (i) & (ii).

The store on the western boundary will be increased from 2.5 metres in height to 2.7 metres, the alterations to the store are considered to be in accordance with policies GEN7 (ii) and DEV19 (i) & (ii).

RESIDENTIAL AMENITY

The proposed alteration to the store which will see its height increased by 0.2 metres are not considered to give rise to any unacceptably adverse overbearing, overshadowing or overlooking and as such this aspect of the scheme is considered to be in accordance with policies GEN7 (iv) and DEV19 (iii).

The proposed single storey rear extension due to its height (0.4 metres higher than the existing conservatory) and its distance from the boundary is not considered to give rise to any unacceptable adverse overlooking or overshadowing. The proposed extension is single storey and as such the proposed roof lights will not give rise to any additional overlooking of neighbour properties. Therefore, it is this aspect of the proposal is also considered to be in accordance with policies GEN7 (iv) and DEV19 (iii).

SUMMARY

It is recommended that planning permission is granted for the proposal subject to the below 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 for 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 no impacts have been identified upon any 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: Proposed Elevations, Floor Plans, Block Plans and Location Plan; and Existing Elevations, Floor Plans and Existing & Proposed Roof Plans.

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. 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.