

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

REF NO: FP/56/18/HH

LOCATION: The Gate House
Manor Copse
Felpham
PO22 7AT

PROPOSAL: Single storey rear extension to existing house & single storey side extension to existing detached garage. This application may affect the setting of listed buildings & affects the character & appearance of the Felpham Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension to the main dwelling and construct a single storey extension to the side of an existing detached garage.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary consist of brick walling and wooden gates of around 2m high . The side and rear boundaries consist of fencing around 1.8m in height.
SITE CHARACTERISTICS	The site is occupied by a large detached house with a detached garage.
CHARACTER OF LOCALITY	The area is predominantly residential with a mix of housing styles and designs.

RELEVANT SITE HISTORY

None

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council
Parish council provided no objection
No representation from nearby occupiers
Conservation Area Advisory Committee provided no objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - As the proposed cannot be seen from the public realm, I have no specific comment.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Conservation Area

Tree Preservation Order

PD Restriction

DEVELOPMENT PLAN POLICES

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

DEV19	Extensions to existing residential buildings
AREA2	Conservation Areas
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

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

HER DM1 Listed Buildings
HER DM3 Conservation Areas
SD SP2 Built -Up Area Boundary
D SP1 Design
D DM1 Aspects of Form and Design Quality
D DM4 Extensions & Alterations to Existing Buildings

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

Felpham Neighbourhood Plan 2014 POLICY ESD7 Felpham conservation area

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice 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.

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 consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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).

Felpham has a 'made' neighbourhood plan which has been a material consideration during the planning process. Policy ESD1 and ESD7 are relevant to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development policies. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan and Policy ESD1 and ESD7 of the Felpham neighbourhood plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The application seeks to construct a single storey extension to the existing property and a single storey side extension to a detached double garage.

The proposed extension is situated to the rear of the property and as such will not be visible from the street scene. The rear extension will be constructed to extend in line with the existing property's rear wall and therefore appears well integrated and subservient to the main dwelling.

The proposed side extension to the garage will also not be visible from the street scene. A new roof will be hipped into the existing garage to ensure it remains well integrated with both the rear and side extensions being constructed of materials to match the existing.

It is therefore considered that the proposal will not have any unacceptable adverse impacts upon the spatial pattern or character of the area and accord with DEV19 and GEN7 of the Arun District Local Plan and ESD1 of the Felpham Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension will install a set of doors along the width of the extension and a roof lantern. The proposed side extension to the garage will install doors to the front.

The proposed rear extension will extend around 2.5m with the proposed doors overlooking the rear garden to the western elevation. There is around 11m to the rear boundary and around 3m to the northern boundary and therefore given the location there is not considered to be any harm to the adjoining occupiers due to the loss of privacy or outlook. The side extension to the garage will extend around 2.5m to the northern boundary however due to the size and location it is not likely to be visible to any neighbouring properties and therefore again is not considered to give rise to any harm to any adjoining occupiers in terms of loss of privacy or outlook.

The proposed additions to the rear of the dwelling and to the detached garage by virtue of their size and location are not considered to give rise to any unacceptable adverse overbearing, overshadowing and overlooking impacts upon the neighbouring residential amenity and therefore in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

The proposals are situated within the Felpham Conservation Area and are considered acceptable in terms of design as due to the location and size are unlikely to be visible from the surrounding area and therefore it is considered the proposal will have a limited impact upon the setting of the area and surrounding Listed Buildings and therefore would not harm the character or appearance of the Conservation area and accord with policy AREA2 of the Arun District Local Plan and ESD7 of the Felpham Neighbourhood Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

FOR APPROVAL**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 and Block plan - 1489_10_100_B
- Proposed garage floor plan and elevation - 1489_10_106_A
- Existing garage floor plan and elevation - 1489_10_103_A
- 3D Sketch View Plan - 1489_10_104
- Proposed elevations - 1489_10_105
- Proposed roof and floor plan - 1489_10_104
- Existing elevation plan - 1489_10_102
- Existing floor and roof plan - 1489_10_01

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. 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.