

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

REF NO: FP/58/21/HH

LOCATION: 45 Crossbush Road
Felpham
PO22 7LT

PROPOSAL: Erection of single storey rear extension, installation of front balcony, and alterations to fenestration following the demolition of existing conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to construct a single storey rear extension and the installation of a front balcony, alternation to the fenestration following the demolition of the existing conservatory. Cladding is proposed at front and rear first floor.

The walls will be composite cladding and render painted white to match the existing, the roof will match the existing. The windows will be PVC and the doors will be PVC aluminium bi-fold doors.

The extension will sit at the rear elevation and will be 19.09m to the northern boundary, 1.1m to the east and 1.24m to the western boundary.

At the front elevation the balcony will be at the first floor and has a total length of 6.86m and height of 1m. At the rear elevation the extension has a length of 11.43m and height of 3.69m. There is one window and the bi-fold doors at this elevation. At the side (east) elevation the extension has a length of 4.33m and height of 3.71m, the side of the balcony can be seen at this elevation. At the side (west) elevation the extension has a height of 3.69m and length of 4.33m, the side of the balcony can also be seen at this elevation.

REPRESENTATIONS

No objection from Parish Council.

One letter of representation from nearby occupier stating - concerns over the proposed balcony at the front elevation, there is a loss of privacy, loss of light and views. There has also been no consultation prior to the submission. Conflict with covenants.

Comment on representations:

Issues of planning merit are dealt with below. Covenants and methods of control by the estate management committee are not material planning considerations.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

Tree preservation order.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

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

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy ESD1 of the Felpham Neighbourhood Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Felpham has a made Neighbourhood Plan with policy ESD1 of relevance to the application. The proposal complies with this policy.

Further guidance from the Arun Design Guide is relevant and referred to below.

DESIGN AND VISUAL AMENITY

The proposal will be to the front and rear of the property and will be visible from the street scene and the wider area due to its siting, and will have an impact on the character and appearance of the area.

The materials which are used to construct this proposal are of acceptable design. Although the front and rear elevations walls will be clad, so will not match the existing, this is not going to have a harmful impact

on the street scene or wider area. The proposal appears well integrated with the existing dwelling. The extension at the rear has a maximum length of 11.43m and extends across the whole of the property, as a result this allows the extension to be integrated well with the host dwelling. The rear extension replaces the existing conservatory, therefore the proposed footprint of the extension will not be dissimilar.

The balcony at the front elevation has a maximum length of 6.86m and does not extend across the whole of the first floor front elevation, therefore not overpowering the whole of this elevation. Although the balcony on the front elevation will be one of the first in the area, it is unlikely to cause a significant harmful impact on the street scene due to its position and overall location in that it doesn't cover the whole first floor front elevation.

As a result this proposal is not considered to result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide. Also section M, referring to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling.

RESIDENTIAL AMENITY

The rear extension has significant boundaries ranging from 19.09m at the north to 1.24m at the west. Due to the single storey nature of this proposal and significant boundaries it is unlikely to cause any harmful overlooking or overbearing impacts onto any neighbouring properties at the rear or side.

In terms of any openings of this part of the proposal the window and bi-fold door at the rear will not cause any harmful overlooking due to the single storey nature of the proposal and the boundary of 19.09m. At the west elevation of the rear extension there is one window, it is noted that the boundary is smaller here of 1.24m, however due to the single storey nature this is unlikely to cause any harmful overlooking to 43 Crossbush Road.

The balcony will look to the south and will be 5.36m to the boundary. The balcony will have some minor impact on loss of light to the neighbour at number 47 and loss of privacy to their side windows. There could also be some overlooking to the front of the property to the west from the balcony. A condition will be added to have a obscure glazed screen on the balcony to reduce overlooking to an acceptable level. This will cause some loss of light to the nearest neighbour but the use of suitable materials for the balcony screen will minimize the effect.

As such, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

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

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:
 - Block plan 1475-P002A
 - West elevations 1475-P301A
 - East elevations 1475-P303A
 - North elevations 1475-P302A
 - South elevations 1475-P300A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The east and west elevation of the balcony at first floor level, shall at all times be obscured to a height of 1.7m with fixed obscured glass and said screening shall be retained in perpetuity. The balcony area shall not be used until details of the proposed balcony screening have been submitted to and approved by the Local Planning Authority.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 4 No cladding shall take place unless and until a schedule of materials and finishes to be used for the cladding at first floor level has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to

achieve a building of visual quality in accordance with policy D DM4 of the Arun Local Plan.

- 5 **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.