

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

REF NO: FP/5/22/HH

LOCATION: 128 Limmer Lane
Felpham
PO22 7LR

PROPOSAL: Erection of part single/part two storey front, side and rear extensions, pool plant room and pool, installation of vehicular crossover and driveway, following the demolition of existing extensions, garage and timber shed.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks extensive alterations to the property which involve single and two storey extensions to the front, side and rear following demolition of existing extensions, garage and shed. It will also consist of the addition of a pool and plant room to the rear garden and installation of a vehicular crossover and driveway.
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REPRESENTATIONS

Felpham Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSSC Highways

While the existing garage will be lost, a replacement is proposed. The site benefits from extensive hardstanding which is considered to meet the parking need of the extended dwelling. Limmer Lane is a private road and therefore access works, formation and closure are not strictly within the remit of the LHA. Limmer Lane is however a public right of way who may wish to make comment in due course from a public right of way perspective. The applicant would be advised to agree any approved access works with the proprietor of Limmer Lane prior to commencement.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

Felpham has a made Neighbourhood Plan with policy ESD1 of relevance to the application. This policy seeks for proposals for new and existing development including extensions and alterations must be of high quality, and designed to be sympathetic to the local design style.

DESIGN AND VISUAL AMENITY

The proposal seeks extensive changes to the property. The existing dwelling features a two storey property with accommodation within the roof. It has a pitched roof and a rear balcony and the proposal would predominantly result in a dwelling of a contemporary appearance of three storey with flat roofs.

The principal elevation of the dwelling is situated approximately 16m behind the front boundary. As a result, the dwelling would not appear unduly dominant upon the road, being well set back from the street scene. Whilst an additional level will be constructed, the proposed dwelling would not be taller than the existing dwelling at a height approximately 9.35m which is comparable to others within the street scene. In terms of the overall scale and massing, it will remain largely the same and broadly consistent with development in the locality.

There is an existing double garage to the front which will be removed which will enable alterations to the vehicular entrance along the front boundary of the property.

There will be extensions to the front and side of the property which does result in some increase in the scale of the dwelling. To the western side there will be a flat roof extension forming a garage with a balcony above. This will have a width of 7m and a depth of 9.85m, occupying much of the western side of the garden. This is large and does add some bulk to the side of the property although being single storey in nature appears acceptable.

To the front there will be a two storey extension. This has a depth of around 4.25m although only extends forward of the principal elevation by around 2.3m and does not extend forward of the established development line. To the rear an existing conservatory will be removed. The footprint to this elevation will not increase although due to the design of the dwelling, the top floor will extend slightly following the change from the pitched to flat roof. The dwelling will however have a stepped vertical appearance which assists with reducing its bulk and scale as the height increases.

The materials proposed will consist of white render which is considered appropriate with a variety of materials present in the locality.

The design is contemporary in appearance featuring flat roofs and whilst the style of dwelling is not common, the design is not uncharacteristic of other development in the vicinity and the design concept is considered acceptable in this location. It is however in conflict with D DM4 (b) of the Plan due to the significant change in appearance proposed, the works are not visually subservient to the existing dwelling.

Arun recently adopted the Arun Design Guide with Section M relevant to householder extensions.

'Extensions of over 50% of existing floorspace are unlikely to be considered acceptable'. The proposal should also respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. The proposal complies with the Design Guide in that the extensions are less than 50%. The scale and massing is also appropriate when compared to the size of the plot.

A pool and pool plant room will also be constructed to the rear although is not visible from the wider area.

The proposal, whilst resulting in a property of contemporary design is not considered to be adversely out of character or have an unacceptable impact upon the street scene and wider area. It is therefore seen as in accordance with policy D DM1 and D DM4 (a) and (e) of the Arun Local Plan and the Arun Design Guide and ESD1 of the NP. It is acknowledged however that the proposal conflicts with policy D DM4 (b) of the Arun Local Plan.

RESIDENTIAL AMENITY

Whilst the proposal seeks a significant change to the appearance of the dwelling, the development is not considered to result in unacceptable adverse overbearing or overshadowing impact.

To the western side, a single storey garage will be constructed with a height of 3.2m and will have balcony above. This is relatively large and may give rise to some overbearing although will retain 1.65m to the boundary which consists of a flint wall. There will be a staircase to the rear western side of the addition. The neighbour to the west at No.126 has 2 ground floor windows and 3 first floor windows to its eastern side. Whilst some views are achievable already from standing in the garden, the balcony would give rise to increased overlooking due to its size and proximity to the neighbouring property. 1.8m high obscure glazing will be installed to the side elevation to ensure any adverse overlooking or loss of privacy is mitigated. The neighbouring property does extend some distance forward of the host dwelling to the western side and views achieved would also be of its side elevation although there are no other ground floor windows forward of the proposed balcony which might be subject to overlooking.

Views to the front of the roof terrace would be over the front garden of the dwelling.

To the rear, there is an existing first floor balcony although it is currently set in between two rear gables. The proposed will install a balcony to the rear western side serving a living room extending across approximately half of the rear building line. Its height above ground will match the roof terrace to the west. If stood facing directly west this could allow for direct views across the garden of No.126 and as such it shall be conditioned that the western side have obscured glazing to a height of 1.8m. Due to the siting and angle of views available when looking east upon No.130 the first floor balcony would not result in harm upon this elevation.

The top floor balcony is set within the roof with a maximum depth of 2.1m. It is considered only limited views could be achieved from the proposed balcony towards the neighbouring dwellings due to the positioning of the balcony and properties. There would be no direct views into neighbouring windows and with the addition of screening to the side elevation views would be predominately to the rear of the host dwelling and beach. There is a side facing window proposed to the top floor bedroom. This will be conditioned to remain obscured glazed to ensure no adverse views are achieved towards properties

towards the west.

There are alterations to the fenestrations at all elevations, however many of the windows proposed are replacement in nature and would not provide additional overlooking.

The pool will not result in harm and the plant room will be located against the rear boundary and is modest in size, likely achievable under permitted development.

With balcony screening in place, the proposed will not result in adverse overbearing, overshadowing or overlooking upon amenity in accordance with D DM1 and D DM4 (c) of the Plan.

PARKING

Currently there is a detached garage to the front side of the dwelling. This will be removed and the vehicular crossover altered to enable a larger entrance with the front of the site paved to enable a larger parking and turning area. The extension will provide 2 parking spaces and no loss of parking will occur on site as a result of the development proposed.

Whilst the road is private, WSCC have been consulted and have no concerns although have noted the road is a public right of way and this should be taken into consideration.

The alterations allow for a more usable space to the front of the dwelling and is consistent with neighbouring dwellings.

The alterations to the parking arrangement will not result in harm upon the highway in accordance with TSP1 of the Arun Local Plan.

SUMMARY

In taking the above into account the proposal will not result in unacceptable harm to the character and appearance of the locality or the amenities enjoyed by neighbouring residential occupiers. Permission is therefore recommended 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.

CIL DETAILS

This application is CIL Liabie therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 - 1112/09
 - Proposed Site Layout Plan - 1112/08C
 - Proposed Floor Plans and Elevations - 1112/05C
 - Proposed Pool Plant Room - 1112/10

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 Balcony screening shall be installed to the east and west elevations of the second floor balcony and shall at all times be obscured glazed and to a height of 1.8m. The screening shall be installed prior to the first use of the balcony and be retained thereafter in perpetuity.

Reasons: In the interests of the amenity of the neighbouring dwelling in accordance with policies D DM1 of the Arun Local Plan.

- 4 The second floor window to the western elevation of the building shall at all times be glazed with obscured glass and fixed shut to a height of 1.7m above finished floor level.

Reasons In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun District Local Plan.

- 5 Balcony screening shall be installed to the western elevation of the roof terrace and first floor balcony and shall at all times be obscured glazed and to a height of 1.8m. The screening shall be installed prior to the first use of the balcony and be retained thereafter in perpetuity.

Reasons: In the interests of the amenity of the neighbouring dwelling in accordance with policies D DM1 of the Arun Local Plan.

- 6 **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.

- 7 **INFORMATIVE:** The applicant would be advised to agree any approved access works with the proprietor of Limmer Lane prior to commencement.