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

REF NO: **FP/60/12/**

LOCATION: 1 Eleanor Gardens
Felpham

PROPOSAL: Single storey extension, alterations & an addition to the existing boundary wall

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey hipped roof extension has a width of 3.65m, depth of 8.9m and a maximum height of 3.1m. The extended wall has a length of 4.8m and increase in height from 1.5m to 1.95m.
SITE AREA	Approximately 434 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front is open to the highway, close boarded fencing to south side approximately 1.5m in height, rear has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with conservatory on rear, detached garage on southern side. The property has dark brown brickwork, white window frames with a concrete tiled roof.
CHARACTER OF LOCALITY	Cul-de-sac comprising detached and semi-detached bungalows of similar style and appearance.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

No objection assuming there is no change to the height of the wall.

Comments on Representations received:

Comments noted
As the existing hedging is to be removed the wall is to be extended and this remains the same height but for more privacy a wooden infill panel is to be erected above the wall to a height of 1.95m. It is not considered that this would be out of character and appearance within the street scene or the surrounding area.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Class B Road
Tree Preservation Order 5/63

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

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.

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

The detached bungalow is sited on a corner location with Eleanor Gardens and Middleton Road and is set back from the front boundary of Eleanor Gardens by approximately 12m. The application seeks to construct a single storey extension on the north side of the dwelling to create a new bedroom and extend the existing lounge.

The proposed extension will extend the whole length of the existing dwelling with a width of 3.65m

and the hipped roof will have a maximum height of 3.1m. The extension is of an acceptable size and height that is considered to be visually subservient to the main dwelling. The northern side boundary has an existing wall which is 1.5m in height and behind this wall is a Leylandii hedge and the application seeks to remove this hedge and extend the wall along the northern side boundary and extend along the front boundary linking up with the new extension. The wall is to be extended by approximately 4.8m and the existing wall which is 1.5m in height is to be increased to 1.95m by the erection of a wooden infill panel.

The extension is not considered to have a detrimental impact on the residential amenities of neighbouring properties to the east and west which are located approximately 25m-30m away. There is a wide pavement and verge adjacent to the highway and whilst it is accepted that the proposed extension will be nearer to the highway than the original structure being approximately 4m-5m away. it still retains the open plan character and appearance when viewed from Middleton Road.

The proposal is not considered to be obtrusive in the street scene, nor would it harm the established character and appearance of the surrounding residential area.

It is therefore recommended to approve the application, subject to conditions.

HUMAN RIGHTS ACT

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 (negative, Neutral or positive) 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

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: Site 1:1250/Block 1:500/Floor/Elevations/Proposed Wall Sheet 1 of 2, Existing Elevations/Wall/Roof Plan Sheet 2 of 2 received on 27th March 2012.

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 extended wall. external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building and wall.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.