

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

REF NO: FP/60/21/HH

LOCATION: 5 Neptune Court
Felpham
PO22 7NN

PROPOSAL: Erection of a new garden room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a new garden room to the rear north west corner of the property.

RELEVANT SITE HISTORY

FP/68/98/	Proposed ground floor extension and dormer over	ApproveConditionally 15-07-98
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REPRESENTATIONS

Felpham Parish Council - No Objection.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built-Up Area Boundary
2km Buffer for Site of Special Scientific Interest

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
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The development is in the built-up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are D DM1 and D DM4 of the Arun Local Plan and Section M of the Arun Design Guide.

Felpham Parish Council has a made Neighbourhood Plan. Policy ESD1 is of relevance the application and the proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The property is a detached two storey dwelling to the west of Neptune Court. The property has a front drive and rear garden. There is an attached single garage to north elevation with carport. The area is residential in character and has a mix of dwelling designs. The direct neighbouring properties are number 6 to north and number 9 Neptune Court to south east.

The garden room will be to the north west corner of the property, behind the garage and will extend beyond the rear elevation of dwelling to north west. The proposal is single storey with a flat roof design.

The proposal will have a width of approximately 2.87m and depth of 3.94m. The height to the flat roof will be 2.79m. There will be a single window on the north west elevation facing the rear garden and new bi-fold doors on south west elevation facing the garden to south west.

The proposal is modest in size and is subservient to the main property so complies with policy D DM1 of the Arun Local Plan.

Due to the siting of the proposal to the rear of the property there is no adverse harm to the street scene or amenity of surrounding area so complies with policy D DM4 of the Arun Local Plan.

Arun recently adopted a Design Guide. It states development should be subservient to the existing property and this complies in terms of size and scale. It states rear extensions can however have significant impacts on neighbouring amenity in terms of privacy and overshadowing. Whilst the proposal will be within 1m of the boundary of number 6 to north it is not deemed to have adverse impact on neighbouring amenity due to the size of development and being single storey.

The materials integrate well with the dwelling and consist of walls of vertical weatherboarding, GRP flat roofing system and white upvc windows and doors so comply with policies D DM1 and D DM4 of the Arun Local Plan.

Due to the siting and design of the garden room, it will be largely restricted from view from the street scene and not considered to adversely impact the character of the area so complies with D DM1 and D DM4 of the Arun Local Plan and Section M of the Arun Design Guide.

RESIDENTIAL AMENITY

The garden room will have a width of approximately 2.87m and depth of 3.94m. The height to the flat roof will be 2.79m. Due to the scale of the proposals it is not deemed to significantly increase overshadowing or overbearing effect to neighbouring property at number 6 due to location of the existing boundary fence

and the proposal being single storey so complies with D DM4 of the Arun Local Plan.

Whilst the proposal is within 1m of the north boundary it is at single storey with no windows in the north elevation so no harm through overlooking to neighbouring properties to north so is acceptable. Also the proposal is sited forward of the building line of neighbouring property number 6 to north east.

There is a new window on the north west elevation facing the garden to rear however due to the siting of the proposal there is a large gap remaining of 12m to rear north west boundary of property so there is no harm to overlooking to neighbours to north west.

Due to the new bi-fold doors in south west elevation of proposal, this will increase some risk of overlooking to neighbouring property number 9 to south however due to large gap remaining of 12m to south boundary there is no adverse harm to overlooking to neighbouring property to south so complies with policy D DM4 of the Arun Local Plan.

Therefore the proposal does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties and complies with policies D DM1 and D DM4 of the Arun Local Plan and Section M of the Arun Design Guide.

SUMMARY

The 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:
- Location and Block Plan 342/01
 - Existing Plans 342/02
 - Proposed Plans 342/03

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun 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.