

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

REF NO: FP/68/18/HH

LOCATION: Seahaven
Sea Road
Felpham
PO22 7AN

PROPOSAL: Loft conversion

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The proposal is to add an additional 2nd floor to the building by constructing a single flat roofed dormer construction with four exterior walls measuring 8 metres in length by 6 metres in width across almost the entire span of the existing roof and the entire length except for a set back of 1 metre from the front elevation. The box like structure would have a flat roof at a total of 8.3 metres in height rising 0.8 metres above the existing ridge and 2.5 metres above the first floor eaves height.

The proposal is to incorporate cottage style windows to match the primary fenestration of the dwellinghouse in the front and rear elevations of the box dormer structure but to add a 3 metre wide clear glazed sliding door with glass fronted Juliet balcony looking out to sea over holiday homes to the south side elevation of this end terraced property.

SITE AREA

Approx. 0.01 hectares

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The terraced property fronts onto the street and has 1.8 metre boundary walls to the rear garden.

SITE CHARACTERISTICS

An end terraced property, 2 stories in height with a pitched roof. The property has cream rendered walls, white cottage style windows at ground and first floor levels and black concrete roof tiles.

CHARACTER OF LOCALITY

Predominantly residential with holiday homes close to the beach front walkway between Bognor Regis and Felpham. The applicants property is identical to its immediate neighbour but is set within a terrace of a variety of different designs including 2 and 3 storey buildings with a 3 storey block of apartments opposite.

RELEVANT SITE HISTORY

FP/47/95

Proposed balcony

ApproveConditionally
31-05-95

A balcony to the rear of the property was approved in 1995.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Objection - will have an adverse impact on the street scene - looks more like an extension rather than a conversion as worded in the plans.

No objections have been received from neighbouring properties.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted and addressed in the conclusions section of the report below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/a

POLICY CONTEXT

Designation applicable to site:

Within built up area

DEVELOPMENT PLAN POLICES

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

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

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

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
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

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, Modified - Arun Local Plan - January 2018 Consultation Version, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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. Consultation and a further examination in public has taken place. The examination was completed in September 2017. The Main Modifications have been amalgamated with the Arun District Local Plan 2011-2031 (Publication Version) October 2014 to form the 'Modified - Arun Local Plan (2011-2031) - January 2018 Consultation Version' which was out for public consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

In conclusion the emerging Local Plan, the 'Modified Arun Local Plan - January 2018 - Consultation Version', is at a very advanced stage and carries significant weight

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.

Policy ESD1 of the Felpham Neighbourhood Plan is considered relevant to this application.

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the appearance of the host dwelling and 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 application site is situated within the built area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Local Plan and policy ESD1 of the Felpham Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposed development by virtue of its location, design and scale is not considered to be well integrated with nor subservient to the host dwelling and as such is not considered a high quality of design contrary to policies within the Local Development Plan.

The flat roofed, box like structure on top of the existing pitched roof would be incongruent in appearance on the host dwelling, with its neighbouring identical terraced property and within the wider street scene. The introduction of an alien material, cedar cladding weatherboards, not present elsewhere on the existing house or neighbouring properties, to the external faces of the dormer structure would be prominent and overbearing in appearance.

By virtue of its design, mass, scale, location and the materials to be used in its construction it would have an adverse impact upon the established character of the host dwelling and wider locality and as such is deemed contrary to policy GEN7(ii) and DEV 19 (i), (ii) and (v) of the Arun District Local Plan and policy ESD1 of the Felpham Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed dormer roof extension would have windows facing to 3 sides at second storey level. The properties to the front and rear are of an adequate distance away to prevent any significant detriment to residential amenity in terms of a loss of light, privacy or overbearing impact.

The proposal would have a set of sliding doors and an additional window in the side elevation at second storey level looking out to sea over single storey holiday homes to the south. The side elevation of the applicant's property already has windows facing south at first floor level and the proposal would not be considered to cause a significant additional loss of privacy to the holiday homes to the south.

Due to the orientation the scheme would not cause a loss of light, and given the scale of other neighbouring buildings 3 storeys in height it is not considered that an overbearing impact would be caused by the proposal.

Therefore, it is considered that by virtue of the separation distance and scale of the proposed extension that the proposal is deemed to accord with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan with respect to residential amenity.

SUMMARY

The proposed development is considered to conflict with relevant development plan policies and as such is recommended for refusal.

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 private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 By virtue of its design, mass, scale, location and materials to be used in its construction, the proposed dormer loft conversion would have an adverse impact upon the established character of the host dwelling and wider locality and as such, is deemed contrary to policies GEN7(ii) and DEV 19 (I), (ii) and (v) of the Arun District Local Plan and policy ESD1 of the Felpham Neighbourhood Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.