

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

REF NO: FP/6/21/HH

LOCATION: 57 Downview Road
Felpham
PO22 8HH

PROPOSAL: Installation of a rear balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

FP/153/09/	Demolition of porch & part rear, erection of single storey additions to side & rear, alterations to roof to form gable and part gable, roof lights and chimney	ApproveConditionally 24-11-09
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REPRESENTATIONS

Felpham Parish Council:
No Objection

Two Objections:
- Overlooking
- Concerns over the original condition this would be altering.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
2km Buffer for Site of Special Scientific Interest
Within the Built Up Area Boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

REPORT_1011(ODB)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

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

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

DESIGN AND VISUAL AMENITY

The proposal will construct a balcony to the rear of the site. There is an attached flat roof from a previously approved extension which protrudes to the west side of the dwelling.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Section M refers to householder extensions. Development should respond to and complement the existing character and appearance of the building. The scale, massing and positioning of extensions should be visually subservient to the existing property. It is considered the proposal complies with the Design Guide as with the scale of the development appears in relation to the host dwelling.

The remainder works are to the rear and not visible, allowing the property to retain its appearance in the street scene and as such the proposal is not considered to result in harm upon the character or spatial pattern of the area in accordance with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The balcony is not considered to give rise to additional adverse overlooking upon the rear with no properties to this elevation. Due to the siting of the balcony and neighbouring properties to the side elevations, the balcony may give rise to additional views over the gardens of neighbouring dwellings, to that which is currently achievable and as such, there should be screening to the sides of the balcony to a height of 1.7m which will be conditioned.

Due to the design and siting of the development proposed, it is not considered to give rise to adverse harm upon neighbouring amenity and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with relevant development plan policies 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.

CIL DETAILS

This application is not CIL Liable.

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:
- Plans 1
- Plans 2

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 balcony screening as shown on the submitted plans shall be constructed to the northern and southern elevation of the balcony extension. 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 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.