

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

REF NO: FP/83/18/HH

LOCATION: 5 Normans Drive
Felpham
PO22 8LW

PROPOSAL: Demolition of existing rear conservatory & erection of a two storey rear & first floor side extensions to include 1 No.dormer window to front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council

Felpham Parish Council: No Objection - providing that the building is 1 metre clear to abide by building regulations.

The above comments are noted and are discussed in detail in the Residential Amenity section below.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Within the Built-up Area

The Felpham Neighbourhood Plan applies. The following policies apply:

Policy ESD1: Design of New Development.

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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CONCLUSIONS**PRINCIPLE:**

The principle of development is acceptable within the built up area boundary in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 subject to consideration against relevant development plan policies. The key Policy considerations in the determination of this application are deemed to be D DM1, D DM4 of the Arun Local Plan 2011-2031 and Policy ESD1: Design of New Development of the Felpham Neighbourhood Plan 2013-2029.

The site is located within the built up area boundary where the residential road comprises detached bungalows of similar style, many of which have been extended to the rear. The principle of extensions is therefore acceptable.

OTHER MATERIAL CONSIDERATIONS:

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Even though the proposal is considered not to be subservient to the existing dwelling, it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties. Also the proposal would not have an adverse impact upon the established character of the surrounding area.

CHARACTER OF LOCALITY:

The wider area is residential with similar style and size properties.

SITE CHARACTERISTICS:

The application property comprises a 2 storey link-detached dwellinghouse, featuring painted render to all elevations and red roof tiles. There is a tree and hardstanding to front and a garden to the rear.

DESIGN AND VISUAL AMENITY:

The proposed rear extension and alterations would lead to the creation of a much larger property with regard to its size, scale, massing and bulk. From an assessment of the plans Officers note that while the proposal would not be considered to be subservient to the existing dwelling the maximum ridge height of the resultant dwelling would not exceed the ridge height of the existing dwelling.

The proposed materials are:

Roof: Existing: double lap plain tiles - Proposed: double lap plain tiles.

Walls: Blockwork with a smooth rendered finish as existing

Windows and Doors: uPVC in white as existing

It is considered that the proposed materials would be acceptable

On balance, it is considered that the siting, scale and design of the proposed rear extension and alterations are such that the proposals would result in the creation of a dwelling which would, while large, be of an appropriate size, scale and massing which would not have a detrimental impact upon the street scene and the wider area. Additionally, it is considered that the proposal would be of a suitable size, scale and massing given the size of the site as Officers consider that that there would still be sufficient amenity space available to the front and rear of the dwelling.

As such, it is considered that the proposed dormer window(s) would comply with Policy D DM1 and criteria a, b, d and e of Policy D DM4 of the Arun Local Plan 2011-2031.

RESIDENTIAL AMENITY:

Windows are proposed into the rear elevation of the proposed 2 storey rear extension. When the 45 degree approach is applied no detrimental overlooking would occur to the adjoining properties, as any overlooking would be out over the rear portion of the rear gardens. No overlooking of the primary amenity space directly to the rear would occur such that would warrant refusal. Additionally officers note that any views toward the properties to the rear of the application site would be over a longer distance of over 25 metres and as such officers consider that no materially harmful overlooking would occur.

A window is proposed into the side gable end facing adjoining property number 7. This window would serve bedroom three and would allow direct views over adjoining property 7. This window would also allow views out over property number 7 toward both the front and rear gardens. The front garden of number 7 is an area that is already significantly overlooked and therefore any overlooking from this window would not be considered to be detrimental. Any views out toward the rear from this window, as aforementioned, would be out over the number 7 at an angle, such that Officers do not consider any views to be detrimental. Officers consider that no detrimental levels of overlooking, such that planning permission should be refused, would occur as a result of the views available for the proposed window in the proposed side gable facing adjoining property number 7.

No windows are proposed into the east side elevation and as no detrimental overlooking would occur out toward adjoining property number 1.

Dormer windows are also proposed to the front roof slope. These dormer windows would allow views out towards the highway and out over the front gardens of adjoining and neighbouring properties. Areas that are already significantly overlooked.

A gable end is being proposed to the southern elevation facing adjoining property number 3. Officers note the existing window in the side elevation of number 3 which would face out toward the proposed gable end. The gable end would be set in from this window by approximately 3.5 metres. Therefore, it is considered that any loss of light or potential overshadowing to this window would be limited and not detrimental to the occupiers of number 3.

Felpham Parish Council do not object providing that the building is 1 metre clear to abide by building regulations. Criterion d of policy D DM4 of the Arun Local Plan 2011-2013 states that:

'in streets characterised by relatively small gaps at first floor level between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary'

criterion e states that:

'the extension or alteration does not compromise the established spatial character and pattern of the place but is instead a positive addition.'

Officers note that there are a variety of gaps between properties, with some larger than others. Additionally it should be noted that most of the properties along Normans Drive are single storey bungalows. However from the Officer's site visit it was noted that adjoining properties 1, 3 and 5 were some of the larger properties along Normans Drive.

The proposal would be sited such that it would be sited closer than 1.0 metre to the common boundary of adjoining properties, in particular number 7. However it should be noted that number 7 is a single storey bungalow and that the proposed rear extension would be sited approximately 3.5 metres from the side elevation of the extension at adjoining number 3. Officers consider that while it is always preferable for properties to be set in from the common boundaries as much as possible, having regard to the Officer's site visit and the submitted plans, it is considered that the proposal is set of the common boundary a sufficient amount, given that the proposed rear extension would be set in from the side elevation of number 5 by 2.0 metres and number 3 by 3.5 metres.

Therefore, Officers consider that the proposal would not have a detrimental impact upon the occupiers of adjoining properties with regard to overlooking, overshadowing, overbearing effect or loss of light/sunlight

IMPACT ON PARKING AND HIGHWAY SAFETY:

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted the SPG - Parking Standards Arun District 2000 and the standards as set out in the 2003 Arun District Plan. Development proposals should comply with the appropriate guidance as set out within these documents.

Currently there is space for the parking of a maximum of vehicles 3 off-road to the front of the dwelling. With no on road parking restrictions. The applicant has confirmed on the submitted application form that the proposed works would not affect the existing parking arrangements.

From an assessment the proposal would adhere with the West Sussex County Council guidance on parking provision. Therefore it is considered that the proposal would not have a detrimental impact on parking and highway safety.

As such, it is considered that the proposal would comply with Policy T SP1 of the Arun Local Plan 2011-31.

TREES:

There are no trees which would be affected by the proposals, with particular regard to the trees to the rear of the site (behind the rear boundary) or the tree to the front of the site.

SUMMARY:

It is recommended that, having regard to the above assessment, the planning application is granted subject to appropriate and reasonable 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.

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:

Block Plan, Existing Ground and First Floor Plans 1003-01, Proposed Ground and First Floor Plans 1003-02, Existing Elevations 1003-03 and Proposed Elevations 1003-04

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.