

REPORT UPDATE

Application No: FP/85/15/HH

Reason for the Update / Changes

Reason for Update/Changes:

Amended Site/Block plan received on 25.6.15 showing siting of newly constructed property to east of site.

Officers Comment:

The plans condition item 2 has been amended to reflect this substitute plan.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

FP/85/15/HH

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

REF NO: FP/85/15/HH

LOCATION: 18 Outerwyke Gardens
Felpham

PROPOSAL: Two storey side and single storey porch extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed two storey side extension has a maximum width of 3m, depth of 8.2m and a height of 8.1m.

The single storey porch extension has a maximum width of 3.4, depth of 1.2m and a height of 3.4m.

SITE AREA

Approximately 213 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Front is open to the highway with grassed area

report

SITE CHARACTERISTICS

to the east, rear and side boundaries close boarded fencing approximately 1.8m in height.

Two storey end of terrace property with conservatory on rear. The property has red brickwork with part render on front elevation, tiled roof with white window frames.

CHARACTER OF LOCALITY

Residential cul-de-sac comprising terraced properties of similar style and design with garage compound to west of site. Surrounding area has a mixture of two storey semi-detached properties of similar style and design.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Felpham Parish Council

Objection

First floor should be 1m back from boundary. This application shows a gap of 0.8m at its widest point.

Comments on Representations received:

Parish Council comments noted

The proposed extension although sited within 1m from the neighbouring boundary is not considered to compromise the character and pattern of the street scene or have a terracing affect which would be contrary to Policy DEV19(iv) of the Arun District Local Plan. See conclusions section of the officers report with regard to residential amenity.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

No Public Sewer

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [DEV19](#)
[GEN2](#)
[GEN7](#)

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

Publication Version of the Local
Plan (October 2014):

D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
SD SP2 Built-Up Area Boundary
Design of new development

Felpham Neighbourhood Plan 2014 POLICY
ESD1

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

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

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kingston, Littlehampton, Rustington and Yapton.

The Felpham Neighbourhood plan policies are a material consideration in this application and in this instance it is considered that policy ESD1 applies.

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

PRINCIPLE

The site is located within the built up area boundary where the principle of development is deemed to be acceptable, subject to it complying with relevant planning policies. The application site is within a residential cul-de-sac where there are two storey terraced properties of the same style and design. No 18 is sited at the end of the terrace which is open in character with a grassed area to the front with established trees. The proposal is for a two storey side extension with single storey porch.

DESIGN AND SCALE

The proposed two storey extension at its widest point will be sited approximately 0.8m from the east side boundary. The main entrance to the property is sited on the east side and there is a flat roof canopy that is sited above the entrance and projects forward of the front elevation by approximately 0.8m. The proposed two storey extension which has a hipped roof will be set in line with the existing roof height and will extend along the side elevation of the property to the rear flank wall. On the east side elevation of the dwelling there are two windows at first floor level, one serves a bedroom and the other a landing area and the proposed extension has only one window at first floor level and this serves a landing area.

The main entrance is to be relocated to the front with the construction of a single storey hipped roof porch. The porch has a width of 3.4m, front projection of 1.2 and a maximum height of 3.4m. It will be constructed of brick with tiled roof to match the two storey extension and host dwelling.

The proposal is considered acceptable in design terms.

RESIDENTIAL AMENITY

The neighbouring properties to the rear in Bali Crescent are sited approximately 20m away. It is not considered that the additional window at first floor level in the extension would create

unacceptable overlooking than currently exists from the first floor windows. The neighbouring property to the east No 11A is a newly constructed two storey property and the proposed extension will be sited approximately 6.5m away. This property has a window at first floor level on the rear of the dwelling that is obscure glazed and serves a bathroom. With adequate distance to this property it is not considered that the extension would give rise to a loss of outlook or daylight to recommend refusal. The adjoining property No 17 has a tiled canopy that extends along the front elevation over the entrance and bay window and the proposed entrance porch will be sited approximately 5m away. With its minimal front projection it is not considered that the porch would create a loss of outlook or be out of character with the neighbouring terrace.

SUMMARY

The extension will be readily visible to the front of the site but it is not considered to have a significant impact on the visual amenities of the locality or have an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings.

It is therefore recommended to approve the application, subject to 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 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 a neutral impact has 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

report

amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Block 1:500, Location 1:1250 Drg No 1202-01 Rev A dt 27.3.15 received on 25.6.15.
Proposed Ground, First Floor and Roof 1:100 Drg No 1202-4 dt April 2015 received on 27.4.15.
Proposed Elevations 1:100 Drg No 1202-5 dt April 2015 received on 27.4.15.

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 external walls and roof of the extensions hereby permitted shall match in colour and texture those of the host dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.