

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

REF NO: FP/85/18/HH

LOCATION: 19 Davenport Road
Felpham
PO22 7JR

PROPOSAL: Single storey side extension. Resubmission of FP/300/17/HH

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey side extension.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The side and rear boundaries consist of fencing around 1.8m in height.
SITE CHARACTERISTICS	The site consist of a detached two storey dwelling with a detached garage and store to the side and rear of the dwelling.
CHARACTER OF LOCALITY	The area is predominantly residential with a mix of housing designs and styles.

RELEVANT SITE HISTORY

FP/300/17/HH	Single story side extension	Refused 23-01-18
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It is noted this application is a resubmission FP/300/17/HH

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council

Felpham Parish Council have no objection to the works proposed.
No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up Area Boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICES

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

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

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

D SP1 Design
D DM1 Aspects of Form and Design Quality
D DM4 Extensions & Alterations to Existing Buildings

[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, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage 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 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. The plan was subject to consultation until 23rd February 2018.

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.

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).

Felpham has a 'made' Neighbourhood Plan that has been a material consideration in the determination of this application. Policy ESD1 is applicable to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with the relevant development plan policies. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan, ESD1 of the Felpham Neighbourhood Plan and the National Planning Policy Framework.

BACKGROUND

A previous application FP/300/17/HH was refused due its size and it being unduly dominant to the neighbouring occupants. This application addresses some of the size issues by reducing the length of the proposed development from 11m to 9.2m. The height of the proposal is also reduced from 4.3m to 3.1 which matches the height of the existing garage.

DESIGN AND VISUAL AMENITY

The proposed extension would be sited to the eastern side of the house and would be visible from the street scene. It sits approximately 12m from the front boundary of the property and will replace the existing structure and will be of materials to match the existing dwellinghouse.

With the total height of the extension remaining the same as what currently exists it is not considered unduly dominant and it is therefore not considered to have any unacceptable adverse impacts upon the spatial pattern or character of the area and accord with DEV19 and GEN7 of the Arun District Local Plan and ESD1 of the Felpham Neighbourhood Plan.

NEIGHBOURHOOD RESIDENTIAL AMENITY

The proposed development will extend into the rear garden to around 9.2m in length which is around 1.2m longer than what currently exists and will be around 1.5m wider towards the western elevation. The eaves height is also increased by around 0.50m whilst the total height will remain the same with the roof pitch being altered.

There will be 2 windows to the western elevation which will overlook the rear garden and fencing and due to the separation distance of around 13m and the boundary treatment it is not considered to give rise to any loss of privacy or outlook. A proposed window to the rear of the development will overlook the rear garden of the property.

The proposed extension is built close to the boundary line to the east with a separation of around 0.1m. The proposed extension is slightly larger than what currently exists however it is not considered to be significantly different in size and the overall height would remain the same and therefore it is considered there will be no greater impact on the neighbouring property than the existing single storey garage/store. The proposed development is not considered to give rise to any unacceptable adverse overbearing, overshadowing or overlooking impacts upon the neighbouring residential amenity and accord with GEN7 and DEV19 of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

FOR APPROVAL

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 Plan
 - Substitute Block Plan
 - Existing Elevations - 908-02
 - Proposed Elevations - 908-03
 - Existing and Proposed Ground Floor Plan - 908-01

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 building hereby permitted shall match in colour and texture those of the existing building.

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.