

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

REF NO: LU/128/12/

LOCATION: 92 Greenfields
Littlehampton

PROPOSAL: Two storey side extension Resubmission of LU/56/12

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The application follows the refusal of a previous scheme. The proposed extension measures approximately 4 metres in width by 9.5 metres in depth and 6.8 metres in height.
SITE AREA	Approximately 375 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The front of the site is open. The side/rear garden is enclosed by approximately 1.8 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by an end-of-terrace two-storey dwelling that has red brick elevation walls with sections of tile hanging to the front and rear. No significant external alterations or additions have been added to the original building.
CHARACTER OF LOCALITY	The site is located on a residential road that is characterised by terraces of two-storey dwellings, of a fairly uniform appearance, that are set back from the road with open frontages, lawns, verges and green buffers helping to create an open and spacious appearance, despite the relatively high density of buildings.

RELEVANT SITE HISTORY

LU/56/12/	Two storey side extension	Refused 18-05-2012
LU/447/83	Two storey extension at side of existing terraced house	Approve Conditionally 07-12-1983

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection: The size of the development is a concern.

Comments on Representations received:

Noted. The extension has been designed to maintain subservience towards the existing dwelling and it succeeds in this effect. It will also take up a small proportion of the plot that it will be situated on. It is noted that the Town Council did not object to the previous scheme, which was for a larger extension.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 proposed extension would be located within the built-up area where the principle of development is deemed to be acceptable, subject to the satisfaction of relevant planning policy. In this instance, the key criteria are contained within Arun District Local Plan Policies GEN7 and DEV19 which aim to safeguard the amenities of neighbouring residents and the character and appearance of the surrounding area. These policies remain a valid consideration as they concord with the aims and objectives of relevant sections of the National Planning Policy Framework (NPPF). Recent appeal decisions issued by the Planning Inspectorate support the continued use of these policies.

SITE HISTORY:

The proposal follows the refusal of a previous scheme which was also for a two-storey extension. It was considered that this scheme would not have been complimentary towards the existing dwelling due to a lack of visual subservience and the monotonous effect produced by continuing the existing roof line.

VISUAL AMENITY:

The revised scheme has set the extension back further from the road, allowing a sense of space to be retained to the front. The height is also stepped down from that of the original dwelling and this, combined with the extension being set back from the frontage, is considered to result in a structure that will maintain visual subservience towards the original dwelling. Further, by breaking up the roof line, it is considered that the potential for monotony in the appearance of the extended frontage has been counteracted, whilst the gable ended appearance remains harmonious towards the overall appearance of the dwelling.

It is considered that the revised scheme has therefore overcome the fundamental objections raised against the previous scheme in a satisfactory manner.

RESIDENTIAL AMENITY:

No concerns regarding residential amenities were raised within the previous application due to the positioning of the proposed extension well away from boundaries shared with neighbouring residential properties, this is also the case with the revised scheme. It is noted that there is a first floor window serving an en-suite bathroom overlooking the road and it is considered prudent to attach a condition regarding this window to be obscure glazed in the interests of privacy.

SUMMARY:

It is considered that the conclusions of this report have demonstrated that the revised scheme has addressed the objections to the previous application in a satisfactory manner and that the proposal complies with relevant planning policies in that it would not adversely impact upon either visual or residential amenities.

It is therefore recommended that the application is approved, subject to the following 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 it has been deemed that it would have a neutral impact 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 amended).

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

3253;
3253/1;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The first floor en-suite window on the eastern elevation of the extension shall at all times be glazed with obscured glass. It shall also be fixed to be permanently non-opening other than where it is a minimum of 1.7 metres above finished floor level.

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

5 **INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010**

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: NPPF

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.