

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

REF NO: LU/15/15/HH

LOCATION: 57 Highdown Drive
Littlehampton

PROPOSAL: Single storey side extension. This application may be determined by Littlehampton Town Council under delegated powers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The development proposed is a single storey side extension to the bungalow. An existing detached garage is to be demolished and the new extension would provide a replacement garage with additional living accommodation (utility and dining) to the rear. The extension would be set 1m away from the side boundary with no.55 adjacent. It would have a small 'mock pitched' sloping roof to the front which would screen what would otherwise be a flat roof for the majority of the extension. The existing driveway would remain as existing as would the parking to serve the site, up to 4 spaces if parked in tandem. The extension would have a side door to the utility room, but otherwise would have no additional openings. Front and rear openings would be a garage door and a dining room double door with windows facing the rear garden.

SITE AREA

The site area is 0.4 hectares.

RESIDENTIAL DEVELOPMENT DENSITY

The area is a relatively low density one and has been developed with bungalows.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front of the side boundary of the site up to the highway is comprised of screen planting. The side of the garage to be demolished forms a part of the side boundary with no.55. The rear side boundary is a mixture of fence and hedgerow. The boundary with the school adjoining is a mixture of chain link and wooden panel fencing. The front boundary of the site is

SITE CHARACTERISTICS

open.

The site is a bungalow with room in the roof, it has dormers on each side of the roof facing adjoining development. The existing garage is of brick construction with a flat roof and located on the boundary with no.55. The bungalow is constructed of red brick and brown roof tiles, with hexagonal cladding to the front gable and on the dormers. The driveway/parking is constructed of red paviors.

CHARACTER OF LOCALITY

The general character of the area, apart from the adjoining school is residential and of low density development.

RELEVANT SITE HISTORY

No planning history.

REPRESENTATIONS

Representations received:

No representations received.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

No consultation responses received.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area.

Adopted Local Plan.

DEVELOPMENT PLAN POLICIES

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

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

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)

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

The Littlehampton Neighbourhood Development Plan was made at Full Council meeting on 5th November 2014. This means that the Littlehampton Neighbourhood Development Plan has been brought into legal force and forms part of the statutory plan for the town. Consequently, decisions on whether or not to grant planning permission in this area will need to be made in accordance with the Littlehampton Neighbourhood Development Plan, unless material considerations indicate otherwise.

There are no policies from the Littlehampton Neighbourhood Development Plan that are considered to be relevant to this application.

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 where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the erection of a single storey side extension. It will replace an existing smaller detached side garage and have a secondary appearance to main dwelling. The proposed extension will provide additional space for a replacement garage, utility room and dining area.

The proposed extension will not be seen from Highdown Drive and would not be visually intrusive and the small 'mock pitched' sloping roof to the front would screen what would otherwise be a flat roof. Visually, the design is considered to be acceptable and sympathetic and would visually integrate with the dwelling.

It is therefore considered that the proposed extension is acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension is situated to the side of the dwelling and 1m away from the boundary with the adjoining dwelling. This arrangement would preserve access to the rear of the application site and also reduces potential impact on the adjoining dwelling. The adjoining dwelling has openings facing the side boundary, but these area either screened by the existing (closer) garage or the existing boundary treatment. It is not considered that the proposal will result in amenity loss, since privacy can be ensured by the boundary treatment which is recommended to be the subject of a condition. In addition, light loss does not arise as the adjoining dwelling is located to the south of the extension. The separation of 1m introduced mitigates amenity impact, although this is a deeper extension than the existing garage.

There are no side facing windows proposed in the extension and so overlooking on to neighbouring dwelling will not occur and boundary treatment will mean that there is little if any impact from the new utility room door.

The proposed extension is considered not to result in any significant harm such that planning permission ought to be reasonably withheld.

It is therefore recommended that the application be 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 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 amended).

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

Drawing Number 1291/P010 - Existing & Proposed Floor Plans & Elevations
Drawing Number 1291/p011 - Existing & Proposed Site Cross Sections

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 roofs of the extension hereby permitted shall match in colour and texture with 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 No development shall take place until details of the southern boundary screen wall/fence to replace the garage wall has been submitted to and approved by the Local Planning Authority and part of the extension shall be occupied until such fence/wall has been

erected. The new fence/wall shall then be retained permanently.

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

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.