

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

REF NO: LU/160/12/

LOCATION: 14 Reef Close
Littlehampton

PROPOSAL: Conservatory to side elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above, to measure approximately 6.4 metres in depth x 3.9 metres in width x 3.2 metres in height.
SITE AREA	Approx. 220 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Brick walling and fencing enclosing southern and western boundaries, approx. 2 metres in height.
SITE CHARACTERISTICS	End of terrace, 2 storey dwelling with red brick elevations and gable pantiled roof. Timber lean-to on south elevation which is to be replaced.
CHARACTER OF LOCALITY	Mix of 2 storey terraced and detached residential properties within the cul-de-sac.

RELEVANT SITE HISTORY

LU/211/83	Proposed lean-to glasshouse 12ft x 8ft	Approve Conditionally 15-06-1983
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REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection; over-development of the site as the footprint of the extension replaces the boundary wall and is an extension rather than a conservatory within the boundary.

Comments on Representations received:

Town Council comments are noted. The proposal does result in the removal of part of the boundary wall to front of the site. The wall is not considered to be of any merit and could be removed at anytime. The proposed replacement extension although larger than the existing structure is of an enhanced appearance and would contribute positively to the appearance of the street scene, the comments above are therefore not agreed.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[DEV19](#)

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

PLANNING

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

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.

EMERGING LOCAL PLAN

The Emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

CONCLUSIONS

The proposed addition is to replace an existing timber lean-to on the southern elevation of the dwelling, part of which is visible within the street scene. The proposed addition would be greater in

scale and also visible within the street scene.

Whilst visible and built-up to and replacing part of the existing boundary walling, the proposed conservatory would be a positive addition to the dwelling, with its design and scale being more in-keeping with the property than that of the existing timber structure. As such the addition would be an acceptable addition to the dwelling and the street scene. The impact upon residential amenity of adjoining sites is also acceptable, given the orientation of the addition and the distances it maintains from neighbouring properties.

It is therefore recommended that the application be approved subject to the conditions set out below.

HUMAN RIGHTS ACT

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 amended).

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

Plan No.s 06/12/10 Sheet No. 5 of 5; 06/12/10 Sheet No. 1 of 5; 06/12/10 Sheet No. 2 of 5; 06/12/10 Sheet No. 3 of 5; 06/12/10 Sheet No. 4 of 5.

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

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

- 4 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: GEN7, DEV19

NATIONAL PLANNING POLICY FRAMEWORK

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