

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

REF NO: LU/169/17/HH

LOCATION: 57 Kendal Close
Littlehampton

PROPOSAL: Proposed single & two storey extensions & proposed loft conversion

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of a single storey extension to the rear of the dwelling; a first floor side extension and a rear dormer window. The proposed single storey rear extension will extend between 4.96m and 2.3m to the rear of the original dwelling house, with an eaves height of 2.75m. The proposed first floor side extension will measure 7.625m in depth and will be located above the existing garage and proposed rear extension, with a width of 2.47m and an eaves height and ridge height in line with that of the existing dwelling. The proposed dormer will be situated to the rear of the dwelling and will measure 7.58m in width.

SITE AREA

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The boundary of the site forward of the primary elevation consists of 1m high picket fencing with the rear boundary consisting of 1.8m high close boarded fencing.

SITE CHARACTERISTICS

The site is occupied by a semi-detached two storey dwelling constructed from brick with a tiled half-hipped roof. The property features an attached garage to the south.

CHARACTER OF LOCALITY

The character of the locality is residential and consists of properties of various designs but constructed from similar materials.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Littlehampton Town Council

The Town Council's Planning and Transportation Committee considered this matter at its meeting held on Monday 26th June 2017 and had no objection to the application.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: DEV19
GEN2
GEN7

Publication Version of the Local
Plan (October 2014):

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

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 may also be material consideration to take into account. The examination is due to re-commence in

Autumn 2017 following publication of modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

The Littlehampton Neighbourhood Plan has been made but there are considered to be no policies relevant to the determination of 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 conflict with policy DEV19(ii) of the Arun District Local Plan. However, it is considered that the proposal 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 the proposal does not give rise to any unacceptably adverse harm to the visual or residential amenities of the site and as such it is considered that the proposed development is acceptable.

CONCLUSIONS

PRINCIPLE

The application site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed development is not considered to appear subservient to the host dwelling by virtue of its significant mass and bulk and the impact that the proposed development will have upon the character of the host dwelling. Therefore, it is considered that the proposal will conflict with policy DEV19(ii) of the Arun District Local Plan.

The proposed extensions are intended to be constructed from materials which will match in appearance those of the existing dwellinghouse. The proposed first floor extension will also maintain the existing ridge and eaves height. Therefore, it is considered that whilst the proposal is not subservient to the host dwelling it will appear well integrated in accordance with DEV19(i) of the Arun District Local Plan.

The proposed first floor side extension by virtue of its location will be clearly visible within the street scene. By virtue of the proposals location and the orientation of neighbouring dwellings it is considered that the first floor extension will have a reduced presence when viewed from the north and south.

The proposed first floor extension will be situated to the side of the dwellinghouse above the existing garage. It is considered that such development has the potential to adversely impact upon the spatial pattern and character of the street scene. However, due to the access road situated to the south of the dwelling it is considered that sufficient spacing will be present between the proposed extension and the neighbouring dwelling so as to avoid any terracing. Therefore, it is considered that the proposal will not adversely impact upon the spatial pattern or character of the locality in accordance with policy GEN7(ii) of the Arun District Local Plan.

The proposed dormer window will be significant in size but will be situated to the rear of the dwelling and as such will not have a significant presence within the street scene of Kendal Close. However, the rear of the dwelling faces onto open space and as such the dormer window will be clearly visible from the east. However, it is considered that the proposed dormer will not have an unacceptably adverse impact upon the character of the locality or that of the host dwelling.

The proposed single storey rear extension by virtue of its height and location will have a minimal presence within the street scene and as such will not adversely impact upon the character of the locality. Therefore, it is considered that the proposed dormer and rear extension will accord with policy GEN7(ii) of the Arun District Local Plan.

The proposal also includes the addition of 4 no. roof lights on the primary elevation of the

dwelling. It is considered that these roof lights will not have an unacceptably adverse impact upon the character of the host dwelling. It should also be considered that the installation of roof lights is permitted development under Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

RESIDENTIAL AMENITY

The proposed extensions by virtue of their design and location are not considered to give rise to any unacceptably adverse harm to the residential amenity of the locality. The proposed two storey extension will be located to the side of the dwelling and will be situated approximately 4.91m from the nearest residential property to the south and will not extend beyond the rear elevation of the neighbouring property to the north. Therefore, it is considered that the proposal will not give rise to any unacceptably adverse overbearing or overshadowing impacts. The proposed two storey extension and dormer windows are also not considered to give rise to any unacceptably adverse overlooking beyond that which could already be achieved from the first floor windows.

The proposed single storey extension by virtue of its height and design is not considered to give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts upon the residential amenity of neighbours.

Therefore, it is considered that the proposed development accords with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

Whilst, the proposed development is not considered to accord with policy DEV19(ii) of the Arun District Local Plan it is considered that the proposed development will not give rise to any unacceptably adverse harm to the visual amenity of the site or the residential amenity of neighbours. Therefore, it is recommended that permission is granted for the proposed development subject to the below 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 no impacts have been identified upon any 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 and Block Plan - Drawing 2
- Existing and Proposed Floor Plans, Elevations and Section - Drawing 1

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.