

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

REF NO: LU/179/12/

LOCATION: 2 Condor Mews
Littlehampton

PROPOSAL: Proposed rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application seeks consent for a single storey rear extension to be added to this terraced two storey house which is situated just off Courtwick Lane. The extension which would provide an additional dining/kitchen area would measure 2.9 metres wide with a projection of 3.8 metres from the rear main wall and a maximum height to ridge of 3.5 metres above ground level. It would be located along the southern side boundary of the site.
SITE AREA	225 square metres
RESIDENTIAL DEVELOPMENT DESIGN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Side boundary has the benefit of a larch lap fence with trellis above to a maximum height of 1.8 metres above ground level.
SITE CHARACTERISTICS	Mid terraced red bricked two storey property situated at the entrance to a residential estate.
CHARACTER OF LOCALITY	Predominantly residential area north of Courtwick Lane comprising an estate of two storey housing of varying styles.

RELEVANT SITE HISTORY

n/a

REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

The emerging Local Plan has recently been approved as a consultation document 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 therefore carries very limited weight in terms of decision making at this stage.

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

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

The size and position of the proposed extension is such that it will represent a subservient element to the host property. It will have no adverse impacts on the character or appearance of the locality.

In terms of residential amenity whilst the proposal is located adjacent the common boundary with

no.1 this property has the benefit of a significant rear extension itself with a utility room adjacent the boundary in question. Whilst the 45 degree rule may not be met in this instance due consideration should be given to the fact that firstly the nearest window provides light to a utility room, secondly that the property has a larger rear extension than that proposed by this proposal and thirdly that the proposed extension lies to the north of the adjoining property thereby raising no particular light issues. No adverse comments have been received from the adjoining owner/occupier.

It is therefore recommended that the application be approved subject to appropriate conditions.

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 materials and finishes of the external walls 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.

- 3 The development hereby approved shall be carried out in accordance with the following approved plans: existing 12/3957/2, proposed 12/3957/1.

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.

- 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: 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.