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

REF NO: **LU/180/15/HH**

LOCATION: 2 Armada Way
Littlehampton

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

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to erect and single storey side extension to this dwelling. The extension would be located on the gable end of the existing dwelling and would be 7.05m deep and 1.95m wide. It would be set back from the main front wall of the dwelling by 0.2m and be located in front of the existing rear conservatory extension which extends across the rear of the dwelling and out towards the side boundary. The proposed extension would be 0.1m away from the side boundary of the property. The design of the extension includes a low parapet wall screening a flat roof, with 2 large roof lights. No side windows are proposed and the existing boundary fence is to be retained. There would be 1 front window and the accommodation would be a kitchen. A garden depth of 9m would remain at the rear as existing. To the front, the garden would be 7m deep. The extension would be 2.7m high to the top of the parapet. Brick is proposed to match existing.
SITE AREA	The site area is approximately 0.02 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The side front and front of the property are enclosed by hedge planting. The main side boundary is a mixture of brick wall and wooden fencing of 2m.
SITE CHARACTERISTICS	The site is occupied by an end terrace dwelling which has been previously extended (see Planning History). The property is constructed of red brick and brown profiled concrete tiles.

	The rear conservatory extension has been constructed of red brick with a white upvc glazed roof.
CHARACTEROF LOCALITY	The area is residential on character and dwellings in the immediate vicinity on this side of the road are two-storey.

RELEVANT SITE HISTORY

LU/92/09/	Conservatory to rear elevation, fencing to side and hardstanding for car to front elevation	ApproveConditionally 17-06-2009
LU/293/11/	Two storey side extension and boundary wall	ApproveConditionally 04-01-2012

REPRESENTATIONS

Representations received:

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		SD SP2 Built-Up Area Boundary 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
NPPG	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.

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.

Littlehampton Neighbourhood Development Plan has no policies relating to extensions to dwellings 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 are considered to be policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1 and D DM4 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY
This application seeks planning permission for the development outlined in this report and will result in a limited change to the appearance of this dwelling. The impact of the proposal is considered to be limited, given that the extension will be located behind the existing 1.8m boundary fence/wall and rises 0.7m above this. The extension will also be set within the mass of the two-storey end gable of the dwelling.

The extension will be visible in the street scene, but very much have a secondary visual appearance and with the fence/wall in front facing the road, will have a very limited visual impact. The proposal is therefore considered to be acceptable visually. For similar reasons there is considered to be no detriment to the street scene.

It is therefore considered that the extension is acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan and also complies with policies D DM1 and D DM4 in the Emerging Local Plan.

RESIDENTIAL AMENITY
The scale, design and location of the proposal adjacent to the highway and not directly overlooking any residential occupiers is such that there is little if any impact on neighbouring residential amenity.

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

In assessing this proposal the following impacts (negative, Neutral or positive) have 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 drawings:

site Plan, Scale 1:500 - Received with Application.
Drawing Number 03/15/AW/01 - Proposed Ground Floor Plan - Dated 24.03.2015.
Drawing Number 03/15/AW/01 - Proposed Front Elevation - Dated 24.03.2015.
Drawing Number 03/15/AW/01 - Proposed Rear Elevation - Dated 24.03.2015.
Drawing Number 03/15/AW/01 - Proposed Side Elevation - Dated 24.03.2015.

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 2003 and policies D DM1 and D DM4 in the Emerging Arun Local Plan 2011-2031, Publication Version.

3 The materials and finishes of the walls of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan 2003 and policies D DM1 and D DM4 in the Emerging Arun Local Plan 2011-2031, Publication Version.

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.