

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

REF NO: LU/193/13/

LOCATION: 67 Fastnet Way
Littlehampton

PROPOSAL: Single storey front extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension will be made to the front of an existing flat roof side/rear extension that joins the original dwelling to the on-site garage.
SITE AREA	Approximately 335 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open frontage. Low brick wall to side boundaries forward of dwelling.
SITE CHARACTERISTICS	The site is occupied by a semi-detached bungalow dwelling that has red brick elevation walls and a tiled, gable roof. A single-storey flat roof extension has been made to the side/rear and this in turn attaches to a gable roofed garage building.
CHARACTER OF LOCALITY	The site is located on a residential road that serves a mix of detached two-storey dwellings interspersed with clusters of semi-detached bungalows. Dwellings are generally set back from the road with open frontages and grass verges bordering the road, helping to generate an open and spacious environment.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 proposed extension will be made to the front of the existing side/rear flat roof extension rather than the original dwelling frontage. It is considered to be modest in scale and discrete in its positioning, set well back from the road recessed from the main building frontage. It is therefore considered that the extension will not cause unacceptable harm towards the character and appearance of the surrounding area due to the low overall visual impact that it will produce.

It is considered that the proposed extension will relate sympathetically towards the existing dwelling in terms of design and scale. The height of the roof ridge of the extension is set well below that of the main roof thereby ensuring that the extension maintains visual subservience towards the host dwelling. In addition, the eaves height of the roof of the proposal match that of the existing roof, producing a smooth transition between the two features and strengthening assimilation and visual integration of the proposed works.

The proposed extension will occupy a void between the eastern wall of the main dwelling and the western wall of the garage. It will not project forward of either of these features and will also be lower than them in roof height. As such, it is considered that there will be no discernable impacts upon the occupants of neighbouring properties due to the screening offered by existing buildings.

It is therefore recommended that the application is 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 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 it has been determined that its approval would result in a neutral impact 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).

As such, no specific mitigation measures are required.

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:-

1:1250 Location Plan;
1:500 Block Plan;
9971-1;

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.

- 3 The materials and finishes of the external walls and the tiled section of the 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 policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **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.