

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** LU/206/12/**LOCATION:** 177 Lyminster Road
Littlehampton**PROPOSAL:** Rear conservatory**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above, to measure approximately 3 metres in depth x 3.8 metres in width x 2.7 metres in height.
SITE AREA	Approximately 458 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to the front of the site. Brick wall approximately 1.6m high to southern boundary, Timber fencing approximately 1.8m high on north and west rear boundaries.
SITE CHARACTERISTICS	Semi detached 2 storey dwelling. Red brick elevations, gable slate tiled roof. Long, narrow rear garden.
CHARACTER OF LOCALITY	Sited on a Class B Road, 2 storey residential properties within close proximity which are of a mix of designs and scale.

RELEVANT SITE HISTORY

LU/286/07/	Vehicular crossover & hard standing	Approve Conditionally 11-09-2007
LU/47/10/	Rear extensions to existing dwelling together with attached granny annexe	Withdrawn 14-04-2010
LU/157/10/	Rear extensions to existing dwelling together with attached granny annexe	Refused 02-08-2010
LU/131/11/	Extension.	Withdrawn 27-06-2011
LU/272/11/	Extension	Approve Conditionally 18-11-2011

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

Designation applicable to site:

Outside the built-up area boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN3](#)

[GEN7](#)

[DEV19](#)

Protection of the Countryside

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual appearance of the host dwelling.

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 application seeks permission for a single storey extension in addition to the approved rear extension which is approximately 7 metres in depth. The proposal would further add to large extension which was only approved on balance, and as maximum that would be acceptable.

This further addition to an already large extension by way of its add-on appearance and continuance of the rear projection is considered to result in an unsatisfactory form of development which would be out of balance and would not appear visually integrated nor subservient to the existing dwelling. This in turn would have a detrimental impact on the character and appearance of the existing semi detached dwelling.

It is therefore recommended that the application be refused for the following reason.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed rear extension in addition to that previously approved would result in an unacceptable rearward projection that would appear ungainly, failing to integrate with and appear subservient to the host dwelling as well as having an unsatisfactory relationship with the host dwelling, detrimental to its appearance. The proposal is therefore contrary to policy GEN7 and DEV19 of the Arun District Local Plan.