

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

REF NO: LU/212/15/HH

LOCATION: 28 Capstan Drive
Littlehampton

PROPOSAL: Replacement front door with level threshold PVCu door of matching design & form level platform & ramp to new opening in the front wall. This application may be determined by Littlehampton Town Council under delegated powers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed alterations are to provide a ramped access to the front door from the front path, to allow the disabled occupier to access this property.

It is proposed to install a ramp from the front boundary of this property leading to the front door of the dwelling. The ramp would be 2.6m long, 0.9m wide and be enclosed at the sides by a 0.1m brick up-stand. The ramp would lead to a level platform measuring 1.2m by 1.2m with the same up-stand. In addition, the ramp and platform would be enclosed at the sides by railing of 0.7m in height. The height of the ramp, with railings, would rise from approximately 0.8m at the front boundary to 1.0m at the front door. The ramp will be constructed in matching brick with galvanised hand rails.

SITE AREA

Approximately 0.01 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front garden of the site is enclosed by a low dwarf wall.

SITE CHARACTERISTICS

The site is one of a pair of semi detached bungalows and is located adjacent to a parking/garage court. The side of the site adjacent to the parking area/court is enclosed by a wooden panel fence to the rear of the front garden. The dwelling is constructed of

CHARACTER OF LOCALITY

red brick with brown plain concrete roof tiles.

The area is residential in character and dwellings in the immediate vicinity on this side of the road are bungalows.

RELEVANT SITE HISTORY

No planning history.

REPRESENTATIONS

Representations received:

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

No consultees.

Comments on Consultation responses:

Not applicable.

POLICY CONTEXT

Designation applicable to site:
Within built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
GEN7
DEV19

Publication Version of the Local
Plan (October 2014):

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

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 does not have any policies relating to this proposal.

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 comprises 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 frontage appearance of this dwelling. The use of railings will give the sides of the ramp a more open appearance than full enclosure.

Whilst what is proposed would not be entirely in keeping with the general appearance of the dwelling, the visual impact is limited and is therefore considered to be acceptable visually and in terms of the street scene.

It is therefore considered that the extensions/works are 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 and design of the proposal is such that there is little or no impact on the amenity of the adjoining occupier for similar reasons to the above.

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 a positive impact has been identified upon those people with a disability.

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:

Block Plan, Scale 1:500 - Received with Application.

Drawing Ref: SG/02/Cap21 - Existing & Proposed Plan - Dated 23.06.2015.

Drawing Ref: SG/01/Cap21 - Existing & Proposed North & South Elevations - Dated 23.06.2015.

Drawing Ref: SG/03/Cap28 - Existing & Proposed Front Elevations - Dated 23.06.2015.

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.