

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

REF NO: LU/223/21/HH

LOCATION: 25 Davits Drive
Littlehampton
BN17 6RU

PROPOSAL: Realign garden boundary wall approximately one meter offset from existing.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Parish Council - No Objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
BUAB

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
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Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing

buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy 1 of the Littlehampton Neighbourhood Development Plan (LNDP) states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development in the built up area boundary.

DESIGN AND VISUAL AMENITY

Th proposed wall is to be offset just over 1m from its current position, with a 1.4m increase in length to the most southerly elevation, pulling the whole wall towards the front of the house. The most western elevation sits approximately 6.8m back from the properties primary elevation, this distance will be decreased to approximately 5.6m.

It is considered appropriate that the remaining front and side garden to the property still remains a suitably sized, and open green space as is a characteristic of this location.

The street scene will remain largely unchanged due to the wall being constructed with facing brick to match the existing. The development is also considered to be subservient and well integrated with the host dwelling.

The scale, massing and design of the wall is considered to be acceptable and as such accords with policies DDM1 and DDM4 of the Arun Local Plan and policies 1 and 2 of the LNDP.

RESIDENTIAL AMENITY

As the development will be located at the corner junction between Davits Drive and Carvel Way, away from adjacent properties, no negative impacts from the development being over bearing or overshadowing neighbours will occur.

It is therefore considered that by means of overbearing and overshadowing the proposed development is considered to be in accordance with policies D DM1, D DM4(a) and (b) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 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 the following impacts 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).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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;

 - Location Plan
 - Block Plan
 - Proposed Plan
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls hereby permitted shall match in colour and texture those of the existing wall.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 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.