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

REF NO: **LU/232/13/**

LOCATION: 18 Solway Close
Littlehampton

PROPOSAL: Two storey extension & internal alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension will be made to the eastern elevation. It will measure 2.39 metres in width and have a depth of 7.4 metres, which is equal to that of the existing dwelling. Roof eaves and ridge heights will match those of the existing roof.
SITE AREA	Approximately 170 square metres.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open frontage. Approximately 2 metre high brick wall to side and rear boundaries.
SITE CHARACTERISTICS	The site is occupied by a two-storey semi-detached dwelling that has red brick external walls with dark stained weatherboarding above ground floor window heads. A lean-to style porch extension has been added to the front.
CHARACTER OF LOCALITY	The site is located on a residential cul-de-sac which serves a mix of semi-detached and terraced two-storey dwellings that are set back from the road with open frontages and grass verging helping to generate a sense of openness.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Engineering Services Manager
Engineers (structural)

Consultations responses received:
None.
Comments on Consultation responses:
None.

POLICY CONTEXT

Within Built-Up Area
Open Plan Condition

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

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 extension will increase the width of the frontage with the result being that the dwelling will occupy the full width of the plot. It will not bring the built area of the site any closer to the road and a good degree of separation will be maintained between the extended dwelling and the neighbouring property to the east, aided by the presence of a footpath directly adjacent to the eastern site boundary. This will ensure that the proposed extension will not compromise the open and spacious character and appearance of the surrounding area.

It is considered that the proposed extension will relate sympathetically towards the existing dwelling in terms of design and scale. The height and depth of the extension will not exceed the dimensions of the existing dwelling and the width will not be as great as the existing frontage. This will enable the extension to maintain visual subservience towards the host dwelling. The wall height, ridge height, eaves height and roof lope angle of the proposed extension will replicate those of the existing dwelling, as well the external finishes and the effect of these design features will lead to the extension appearing as a natural continuation of the existing building and therefore enjoying a strong visual integration towards it.

With regards to the amenities of neighbouring residents, the proposed extension will not be positioned directly adjacent to any neighbouring residential plot, will be built in line with the existing building and will match it in height. All windows and openings will be installed within the front and rear elevations of the extension and will look towards the road and the windowless side elevation of 9 Beacon Way respectively. Having considered these observations, it is satisfied that the proposal will not result in adverse amenity impacts by way of unacceptable overbearing, overlooking or overshadowing influence.

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 it 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 plan:-

4413:1;

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 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.