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

REF NO: **LU/238/13/**

LOCATION: 33 Western Road
Littlehampton

PROPOSAL: Demolition of existing single storey extension and construction of two storey extension. This application affects the character and appearance of the Littlehampton Seafront Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed two storey extension measures approximately 6.2m in length, approximately 4m in width and approximately 5.7m in height. Materials to match existing.
SITE AREA	Approximately 49 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary is defined by a public footpath. To rear there is a natural stone wall at approximately 2m in height along north and eastern boundaries. The western rear boundary is marked by the backs of properties along Norfolk Road.
SITE CHARACTERISTICS	A two storey detached property with smooth rendered elevations painted cream. The roof is pitched with slate tiles. There is a single storey extension with a flat roof to side.
CHARACTER OF LOCALITY	Predominantly residential in character. There is wide variety of development forms including two storey terraced properties, semi detached, detached and four storey blocks of flats within Norfolk Road. There is a public house opposite to the south. Development is broadly set in a linear arrangement.

RELEVANT SITE HISTORY

LU/196/74	Rebuild kitchen bathroom & lobby as single storey extension to replace existing extension	ApproveConditionally 11-07-1974

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

One letter of objection.
Loss of natural light
Very claustrophic due to its height, roof elevation and close proximity to boundary.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Officer.
Objection.
The existing property, unlike the neighbouring properties is a small detached structure within a small plot. Whilst it is acknowledged that the property is small, the lack of amenity space along with the proximity to neighbouring property is problematic.

The extension appears as if has not been designed to look as if it is a clear, distinct addition to the original house and therefore discernible from the existing dwelling. This results in an extension which is not considered to be subservient and has the effect of dominating the main property. Further, it is considered that the new window style and arrangement is problematic. The introduction of the French window appears in conflict with existing window styles in the locality.

Conservation Area Advisory Committee
No objection.
Elevations should match existing elevations.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Conservation 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
	AREA2	Conservation Areas

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties as well as having 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 Arun District Local Plan Policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY
This proposal is for a two storey extension in place of an existing single storey side extension which is to be demolished. The materials for the extension will match existing.

The two storey extension would be situated within a small plot with limited amenity space to the side and rear. By virtue of its dimensions including a height maintaining that of the original roof, the extension would not be visually subservient to the host property. This lack of visual

subservience would be harmful to both the property and in this location in a road where there are few visual gaps between properties. The result would be overdevelopment of the plot which would be harmful to the surrounding area. The proposal is therefore contrary to Local Plan policy DEV19(ii) and (v) and GEN7(ii).

It is also considered that the two storey extension by reason of its siting, form and size would lead to a cramped form of development that is detrimental to the character of the existing property and would neither preserve nor enhance the Conservation Area in which it is located. The Conservation Officer has also raised an objection to the scheme stating that the extension has not been designed to look as if it is a clear, distinct addition to the original house and therefore discernible from the existing dwelling. This is found to result in an extension which is not visually subservient and has the effect of dominating the main property. The proposed fenestration is also unsympathetic to the surrounding area. It would therefore be contrary to Local Plan policy AREA2.

RESIDENTIAL AMENITY
By virtue of the extension maintaining the height of the existing property at two storey level and its close proximity to the side (west) boundary, the extension is considered to cause harmful overbearing and overshadowing effects on to the neighbouring property of Number 21 Norfolk Road and its associated amenity space. It is therefore considered to be contrary to Local Plan policy DEV19(iii) and GEN7 (iv).

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

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

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 two storey extension by reason of its bulk and scale would not be subservient to the host property, resulting in unacceptable harm to the appearance of the dwelling as well as compromising the established character and appearance of the street scene and the Conservation Area. It therefore conflicts with policies, GEN7, DEV19 and AREA2 of the Arun District Local Plan and the National Planning Policy Framework.

2 The two storey extension by reason of its size and location would result in an overbearing and unneighbourly form of development which is detrimental to the neighbouring residential amenity. It therefore conflicts with policies GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.