

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

REF NO: LU/261/15/HH

LOCATION: 10 Mariners Quay
River Road
Littlehampton

PROPOSAL: Single storey ground floor extension to northern elevation of dwelling; fenestration alterations to the southern elevation to include installation of bi-fold doors at ground floor and first floor level; and the addition of 4 No. roof lights. This application may be determined by LTC under delegated powers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of a single storey extension; alterations to the windows on the southern elevation of the property to provide bi-fold doors; addition of Juliet balcony at second floor level; addition of 4 No. roof lights; and extension of decking.

SITE AREA

Approximately 76 metres squared

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The northern boundary of the site is open with parking located forward of the primary elevation, with the southern boundary of the site features a 1m high picket fence.

SITE CHARACTERISTICS

The site is occupied by a terraced three storey dwelling constructed from brick with a tiled roof. The property features an integrated parking area, with a first floor balcony on the southern elevation.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential in nature and features properties of various design and styles.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

3 No. letters of objection received from 2 addresses:

- the extension of the decking will constitute an invasion of privacy.
- the loss of parking to the north of the dwelling will lead to congestion.
- increase in disturbance of development due to loss of parking.
- flood risk assessment incorrect as proposal will result in a ground floor bedroom and therefore more risk of flooding.
- the unified look of the terrace will be spoiled by making number 10 look different.
- the loss of car parking is in breach of policy DEV19 of the Arun District Local Plan and policy D DM4 of the Emerging Local Plan.
- extension of the lower floor balcony by 1 metres is an increase of 80% on the existing balcony.
- the proposed works are in conflict with the deeds of the properties which do not allow any extension or external alteration.
- the proposed extension would overlook adjacent gardens from the 0.75m high balcony extension.

1 No. letter of representation - "no objection"

- this property can be clearly viewed from the award winning river walkway and any alterations need to be completed in a way which does not detract from the aesthetic qualities and uniformity of this development.
- no other properties feature skylights these should be kept to a minimum size to ensure they are not overbearing.
- the extension of the decking area is not desirable as it will detract from the uniformity of the properties.
- any alterations or additions need to be carried out to ensure uniformity.

Comments on Representations received:

In response to the letters of objection:

- the ground floor extension to the north of the application site will measure 2.3 metres in depth. It is considered that adequate parking will be retained given the number of proposed bedrooms proposed at the property.
- it is considered that the proposed development will not give rise to any additional risk of flooding.
- the proposal has been amended and the alteration to the ground and first floor windows on the southern elevation of the site is not considered to be in conflict with relevant policy.
- the loss of car parking is not considered to be in conflict with policy D DM3 of the Emerging Local Plan as adequate parking provision is made given the developments close proximity to the town centre.
- deeds are not a material planning consideration which can be taken into account in the determination of this application.
- the proposed decking extension has been removed.

Comments from the additional letter of rep are noted and will be considered in the determination of this application.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built area boundary
PD Restriction

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

D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
SD SP2 Built-Up Area Boundary

Littlehampton Neighbourhood Plan 2014 Policy 1 The Presumption in Favour of Sustainable
Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Policy 1 of the Littlehampton Neighbourhood Plan is considered to be the only relevant policy in the determination of this application. The proposal is considered to be in conflict with Policy 1 due to its non-compliance with the Arun District Local Plan and the National Planning Policy Framework.

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 situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case are policies GEN7 and DEV19.

DESIGN AND VISUAL AMENITY

The application originally sought permission for the addition of a single storey extension to the north elevation of the property; the extension of the existing ground floor decking to the south of the dwelling and associated alterations to the fenestration; alteration of the first floor window and door to provide bi-fold doors; the alteration of the second floor window to provide a Juliet balcony; and the addition of 4 No. roof lights.

However, on the 23rd October 2015 amended plans were submitted to the Council removing the proposed ground floor decking extension on the southern elevation; the proposed railing alterations on the southern elevation at ground floor level; the proposed second floor Juliet balcony; and the proposed lifting bar on the southern elevation. These alterations to the scheme are considered to have resolved the concerns held by the Council in relation to the proposed development.

The proposed single storey extension to the northern elevation of the property will measure 2.9 metres in depth and will provide a utility room. The proposal will not adversely impact upon the appearance of the dwelling and it is considered that it will appear well integrated and subservient

to the host dwelling in accordance with policies GEN7(ii) and DEV19 (i) & (ii) of the Arun District Local Plan and policy D DM4 of the Emerging Local Plan. This element of the proposal will result in a reduction in the level of parking provided forward of the primary elevation. However, given the proposed two bedroom layout of the dwelling and its town centre location, this is considered acceptable.

The proposal also seeks permission for the installation of decking at a height of 0.16m to the southern elevation of the property. This proposal is not considered to have any detrimental impacts upon the character and appearance of the dwelling or the wider area and is therefore considered to be in accordance with policy GEN7(ii) of the Arun District Local Plan and policy D DM4 of the Emerging Local Plan.

It is intended at first floor level for the existing door and window to be replaced by bi-fold doors. This aspect of the proposal is not considered to detrimentally impact upon the character and appearance of the dwelling. There are numerous examples of similar works having been carried out on the adjoining properties and therefore the alterations at first floor level are considered to be in accordance with policy GEN7(ii) of the Arun District Local Plan and policy D DM4 of the Emerging Local Plan.

It is also proposed that 4 No. roof lights will be installed at the property (2 on the northern and 2 on the southern elevation). Roof lights are not an overly dominant feature within the locality of this site. However, given that they will not be visible from the riverside walkway or overly dominant when the property is viewed from the west bank of the river Arun, it is considered that the proposed alteration would be in accordance with policy GEN7(ii) Arun District Local Plan and D DM4 of the Emerging Local Plan.

RESIDENTIAL AMENITY

The proposed alterations are not considered to give rise to any unacceptable overlooking, overshadowing or overbearing impacts and are therefore considered to be in accordance with policies GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

SUMMARY

It is recommended that planning permission is granted for the proposed development subject to the below 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 no impacts have been identified upon any protected characteristics.

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: Proposed plans & elevations - TP01D

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.

- 3 The materials and finishes of the external walls of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.