

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

**REF NO:** LU/261/17/HH

**LOCATION:** 31 Arundel Road  
Littlehampton

**PROPOSAL:** Doors to replace windows on ground & first floor rear elevations.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

The application seeks permission for the replacement of the existing ground and first floor windows with French doors and the creation of a Juliette balcony. The proposal also seeks permission for the removal of the existing render and repointing of the exposed flint work.

**SITE AREA**

N/A

**TOPOGRAPHY**

Predominantly flat.

**TREES**

None of any significance affected by the proposed development.

**BOUNDARY TREATMENT**

The front boundary of the site consists of a 1m high rendered wall with 1.5m high pillars and wrought iron railings atop the wall.

**SITE CHARACTERISTICS**

The site is occupied by a two storey terraced property with rendered elevations and a slate roof. The property

**CHARACTER OF LOCALITY**

The character of the locality is a mixture of residential and commercial uses with the site being situated in close proximity to the town centre. The residential properties in the immediate locality are of a similar design and style to that of the application site.

**RELEVANT SITE HISTORY**

None.

**REPRESENTATIONS**

**Representations received:**

Littlehampton Town Council

No objection.

**Comments on Representations received:**

Comments noted.

## CONSULTATIONS

### Consultations responses received:

None.

### Comments on Consultation responses:

N/A

## POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Building of special character.

## DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2  
GEN7  
GEN22

Publication Version of the Local Plan (October 2014):

Built-up Area Boundary  
The Form of New Development  
Buildings or Structures of Character

D DM1 Aspects of Form and Design Quality  
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)  
HER DM2 Locally Listed Buildings or Structures of Character  
D SP1 Design  
SD SP2 Built-Up Area Boundary

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

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

## 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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Littlehampton Neighbourhood Plan has been made and policies 1 and 2 are considered relevant to the determination of this application.

### **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 application site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policy considerations are deemed to be GEN7 and GEN22 of the Arun District Local Plan; Policy 1 and 2 of the Littlehampton Neighbourhood Plan; and the National Planning Policy Framework.

#### DESIGN AND VISUAL AMENITY

The proposed installation of French doors and the creation of a first floor Juliette balcony will not have an unacceptably adverse impact upon the appearance of the existing dwellinghouse. The

alterations will also have a limited presence within the street scene by virtue of their location to the rear of the host dwelling. Therefore, it is considered that the installation of the proposed doors will not have an unacceptably adverse impact upon the character or appearance of the locality in accordance with policy GEN7(ii) of the Arun District Local Plan.

31 Arundel Road is identified as a building of special character along with the other buildings located within the same terrace. Therefore, the proposed development must be considered alongside policy GEN22 of the Arun District Local Plan. It is considered that the proposed alterations will not adversely impact upon the character of the host dwelling and as such would accord with policy GEN22 of the Arun District Local Plan.

It should also be highlighted that the proposed alterations to the windows would benefit from permitted development rights under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) Order 2015 (as amended). However, due to the proposed doors being in brown uPVC it is considered that the proposed materials are not 'similar' in appearance and as such planning permission is required.

The proposal also states that it is the intention of the applicant to remove the existing render to the rear of the property and repoint the existing flint work. It is considered that these works could be carried out as permitted development under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

#### **RESIDENTIAL AMENITY**

The proposed alterations to the dwelling will not result in any additional overbearing or overshadowing impacts beyond what are already present at the site. The change to the existing windows and installation of doors will result in larger openings on the rear elevation of the property. However, it is considered that these larger openings will not give rise to overlooking beyond what can already be achieved from the existing windows. Therefore, it is considered that the proposal will not result in unacceptably adverse harm to the residential amenity of neighbours and as such would accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

#### **SUMMARY**

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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.

#### **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:

· Existing & Proposed Site Plan, Block Plan, Elevations and Floor Plans - 6317:1

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 **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.