

REPORT UPDATE

Application No: LU/269/15/HH

Reason for the Update / Changes

Reason for Update/Changes:

Officers Comment: The proposed scheme has been amended with the gable end having been altered and replaced by a hipped roof which will match in design and appearance that already present at the dwelling. Therefore, the proposal is now considered to comply with relevant local development policies.

Note: The changes to recommendation and conditions are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

LU/269/15/HH

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

REF NO: LU/269/15/HH

LOCATION: 95 Griffin Crescent
Littlehampton

PROPOSAL: 2 storey side extension & dormer in rear roof slope. This application may be determined by Littlehampton Town Council under delegated powers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of a two storey side extension and the addition of two dormers on the rear elevation of the property.

SITE AREA

Approximately 446 metres squared.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site features a 0.5m high rendered wall with 1m high pillars. The side boundary of the site abuts the rear wall of a block of garages with the remaining boundaries featuring close boarded fencing.

SITE CHARACTERISTICS

The site features an end of terraced two storey dwelling constructed from brick with a tiled hip roof.

CHARACTER OF LOCALITY

The character of the locality is residential in nature and consists of properties of the same design and style.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7
DEV19

[Publication Version of the Local Plan \(October 2014\):](#)

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

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)
The Presumption in Favour of Sustainable Development

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.

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.

There are considered to be no relevant policies contained in the Littlehampton Neighbourhood Plan.

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 seeks permission for the construction of a two storey side extension and the addition of two rear dormers on the rear elevation of the dwelling. The proposed two storey side extension will extend 3 metres to the side of the original dwelling with the eaves and ridge height matching that of the original dwelling.

The proposal has been amended with the proposed gable end being omitted and the proposal now featuring a hipped roof in accordance with the established character of the area.

The proposed two storey side extension therefore considered to appear subservient and well integrated with the existing dwelling and as such is deemed to be in accordance with policies GEN7 (ii) and DEV19 (i), (ii) & (v) of the Arun District Local Plan.

The proposed dormer on the rear elevation of the property is considered to be acceptable and due to its position and scale will appear subservient and well integrated with the host dwelling in accordance with policies GEN7 (ii) and DEV19 (i) & (ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed two storey side extension will abut the western boundary of the site which is adjacent to a garage compound. This aspect of the proposal is therefore not considered to give rise to any unacceptable overbearing, overshadowing or overlooking and is deemed to be in accordance with GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

The proposed rear dormer by virtue of its design and location is not considered to give rise to any overbearing or overshadowing impacts. The dormer is located 25m from the rear boundary of the site and as such will not give rise to any unacceptable overlooking of adjoining residential properties. Therefore, the proposed dormers are considered to be in accordance with GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

SUMMARY

It is recommended that planning permission is granted 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; Plans & Elevations, Existing & Proposed - 95GC/01 B.

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 and roof of the extension and dormer 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.