

## REPORT UPDATE

Application No: LU/300/14/HH

### Reason for the Update / Changes

Reason for Update/Changes: The Littlehampton Neighbourhood 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 Littlehampton Neighbourhood Development Plan, unless material considerations indicate otherwise.

#### Officers Comment:

There are no policies in the Littlehampton Neighbourhood Development Plan that are considered relevant to this application.

Note: The changes to recommendation, conditions and/or reasons show under Officers Recommendation at the end of the attached report.

**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/300/14/HH**

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

**REF NO:** LU/300/14/HH

**LOCATION:** 46 Meadow Way  
Littlehampton

**PROPOSAL:** Front ramp and level entry. This application may be determined by Littlehampton Town Council under delegated powers.

#### **SITE AND SURROUNDINGS**

##### DESCRIPTION OF APPLICATION

As above. The ramp measures approximately 5.9m in length, approximately 2.3m in depth and a ramp and railing combined height of approximately 1.2m. The ramp will be constructed from brickwork to match existing with metal railings.

##### SITE AREA

Approximately 430 square metres.

##### RESIDENTIAL DEVELOPMENT DENSITY

N/A

##### TOPOGRAPHY

Predominantly flat.

##### TREES

None of any significance affected by the

report

BOUNDARY TREATMENT

proposed development.

Brick walling to front at approximately 1.5m in height. Hedging extends along the front side boundaries at approximately 1m in height.

SITE CHARACTERISTICS

A two storey detached property with brown brick elevations and a hipped roof with brown pantiles. There is an integrated garage with a pitched roof and a front porch. Ground and first floor bay windows.

CHARACTER OF LOCALITY

Predominantly residential in character, surrounding properties are mainly two storey detached and semi-detached in type.

RELEVANT SITE HISTORY

REPRESENTATIONS

**Representations received:**

None

**Comments on Representations received:**

None

CONSULTATIONS

**Consultations responses received:**

None

**Comments on Consultation responses:**

None

POLICY CONTEXT

Designation applicable to site:  
Within the Built-Up Area Boundary

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan 2003: [GEN2](#) Built-up Area Boundary  
[GEN7](#) The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#) D DM1 Aspects of Form and Design Quality

**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**

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Arundel; Barnham & Eastergate; Felpham.

**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 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 the Arun District Local Plan which in this case is considered to be policy GEN7 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

### DESIGN AND VISUAL AMENITY

This application seeks planning permission for a handrail and ramp to the front of the property to enable ease of access to the front door of the dwelling. In this location, the structure will be visible in the street scene.

The ramp will be at a maximum height of 0.4m with railings above. The railings and ramp will project forward of the property by approximately 2.3m. This is a comparatively small distance and the property is set comfortably back from the road by approximately 5m. Given the front boundary treatment comprising a brick wall at over 1.5m in height and with hedging to sides, it is considered that the structure will not be unduly prominent or obtrusive in the street scene. The brickwork plinth will also match that seen on the property so that it acceptably blends in.

It is therefore considered that the proposal is acceptable in design terms and complies with policy GEN7(ii) of the Arun District Local Plan.

### RESIDENTIAL AMENITY

The proposed railings form a visually lightweight and predominantly open structure and will be situated at acceptable distances away from neighbouring properties so as to not cause any overbearing or overshadowing effects. The ramp will offer an overall height increase of 0.4m above the existing ground level which given the side boundary treatment of hedging at over 1.5m in height and with only indirect views into public front gardens of neighbouring properties will not cause any unacceptable overlooking or loss of privacy either.

The proposal is therefore acceptable in residential amenity terms and complies with policy GEN7(iv) of the Arun District Local Plan.

It is therefore recommended that the application be 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 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 positive impact has been identified upon those people with the following protected characteristics: disability.

#### **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: drawing number 14/4167/3 (Location plan, block plan, proposed elevations and ground floor plan) dated September 2014 and 14/4167/2 (Existing elevations and ground floor plan) dated September 2014.

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 brickwork used in the ramp hereby permitted shall match in colour and texture to that 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 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.