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

REF NO: **LU/333/14/HH**

LOCATION: 9 Granville Road
Littlehampton

PROPOSAL: Proposed first floor extension, including new first floor side elevation window. This application may be determined by Littlehampton Town Council under delegated powers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The two storey rear extension measures approximately 6m in width, a maximum of 3.2m in depth and approximately 7.5m in height. Materials to match existing.
SITE AREA	Approximately 760 square metres.
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Brick wall and fencing to front at approximately 1.5m in height. Brick walling at approximately 2m in height along the rear northern and southern boundaries with trees in places at over 3m in height. Walling to the rear (eastern) boundary at approximately 2m in height.
SITE CHARACTERISTICS	A two storey detached property with rough rendered elevations and a pitched tiled roof. There is a detached double garage at the rear.
CHARACTEROF LOCALITY	Predominantly residential in character, there are mainly two storey detached and semi-detached properties in the vicinity. A health surgery is situated immediately next door to the south.

RELEVANT SITE HISTORY

LU/335/14/CLP	Application for certificate of lawfullness for a proposed single storey rear extension, replacement of 23 No windows & re-rendering	PP Not Required 19-12-2014

LU/335/14/CLP

Application for a Certificate of Lawfulness for a proposed single storey rear extension, replacement of 23no. windows and re-rendering

Decision:
Pending

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Listed Building Officer
Conservation Officer
Environment Agency

Consultations responses received:

Environment Agency
No objection.
Although the red line boundary does include smalls are of Flood Zones 2 and 3, the sequential approach has been undertaken and all proposed development falls within Flood Zone 1.

Historic Buildings Advisor
Objection.
Whilst this building is not statutory protected, it is formally recognized by the planning authority as a building of 'special character'. As such it represents a contribution to the architectural interest of Littlehampton town and enhances its local streetscape. In its current form the building also retains architectural integrity and character befitting of its period and as such remains a positive feature of the area.

Recent government policy also recognizes the value of locally designated buildings which are important and meaningful to local communities.

The proposals to extend and alter the building's external appearance are likely to have a significant and detrimental impact on the character of the building and as a consequence devalue both it and the street scene. The principal concern here is not so much the additions themselves which have the potential to be sympathetic, but the corresponding fenestration and treatment of the windows.

The single storey addition for example, with three large square doors and a bank of six velux windows is compromised by these openings which have little or no relation to the proportions of the existing fenestration. They do not have to be the same, or leaded for that matter, but they should correspond better. The second floor extension is more successful, though would benefit without the ground floor addition wrapping around the existing corner.

The most harmful aspect of the scheme is the replacement of all the windows in white UPVC. These are likely to alter the appearance of the building in a detrimental manner, eroding its character and aesthetic appreciation. It will almost certainly result in the building being devalued and could potentially compromise its status as a building of special character. This of course is in conflict with the reason for local designation which seeks the sympathetic enhancement of the historic environment.

On this basis and for the reasons above the scheme cannot be supported.

Comments on Consultation responses:

Comments noted. However, the only parts of the scheme that are of relevance to this application are the two storey rear extension and 1no. additional window in the side (south) elevation of the property. The Historic Buildings Advisor accepts that the second floor extension is acceptable and the redesign of the ground floor addition would again fall outside of the scope of this application. The proposed additional window will be in white PVCu in conflict with this advice, although this could be constructed as Permitted Development provided that it is obscured glazed and fixed shut anyway.

All other comments and objections relate to the remainder of the works which are the subject of a Certificate of Lawfulness for Proposed Use (LU/335/14/CLP) which is currently being determined.

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary
Area of Special Character
Buildings or Structures of Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
	GEN22	Buildings or Structures of Character
	AREA1	Areas of Special Character
Publication Version of the Local Plan (October 2014):		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 HER DM4 Areas of Special Character HER DM2 Locally Listed Buildings or Structures of Character

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.

There are no policies from the Littlehampton Neighbourhood Development Plan considered of relevance to 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 or Building of Special Character.

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 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and GEN22 which prevents any new development from having an adverse

effect on the appearance or setting of a Building of Special Character.

SCOPE OF THE PLANNING APPLICATION
This application seeks planning permission solely for a two storey extension and 1no. additional window in the side (south) elevation of the property.

A Certificate of Lawfulness for Proposed Use under reference LU/33/14/CLP is currently being determined for a single storey rear extension, replacement of 23no. windows in PVCu and re-rendering of the building.

DESIGN AND VISUAL AMENITY (GEN7, LOCAL PLAN 2003)
The proposed two storey extension will be situated to the rear of the property where it will not be readily seen from Granville Road or any other public vantage point. The two storey extension is considered to be visually subservient to the host property on account of it having a ridge height set down from the existing ridge of the property and in its dimensions including a comparatively shallow depth of approximately 3.2m.

The extension will be visually integrated with the property given its use of matching materials. The proposed roofslope of the extension will match that seen on the property for a pleasing visual relationship between the two.

It is therefore considered that the proposal is acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) and AREA1 of the Arun District Local Plan.

EFFECT ON THE BUILDING OF SPECIAL CHARACTER (GEN22, LOCAL PLAN 2003)
The property is a Building of Special Character and therefore any works should comply with GEN22 of the Local Plan which prevents new development from adversely affecting its character and appearance.

The two storey rear extension is situated to the rear and is sympathetically designed in relation to the heritage asset.

The Historic Building Advisor's objection is considered to be based on those works that form the subject of the Certificate of Lawfulness for Proposed Use (LU/33/14/CLP) with the exception of the 1no. additional window in the side (south) elevation which will have PVCu frames. The Historic Building Advisor objects to the use of this material but this window is situated to the side of the property where it will not be readily seen in the street scene and could be built as Permitted Development anyway provided that it is obscured glazed and fixed shut.

The two storey rear extension and additional window are therefore not considered to adversely affect the appearance or setting of the Building of Character and as such complies with policy GEN22 of the Arun District Local Plan.

RESIDENTIAL AMENITY (GEN7, LOCAL PLAN 2003)
The two storey extension will be situated comfortably away from the side (southern) boundary by approximately 3.5m with the commercial premises of a health surgery situated a similar distance away from its respective boundary. There will be no windows at first floor level in the two storey rear extension to give rise to any adverse overlooking. A condition is recommended to prevent any windows or other openings from being formed at first floor level or the roof of the extension

without an application first being submitted.

The additional first floor window in the side (south) elevation of the property is positioned alongside an existing first floor window and would only provide indirect views into the rear garden of the neighbouring health surgery to the south. It is therefore considered that there will no harmful loss of privacy or overlooking resulting from this proposed new window.

The proposal is therefore considered 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 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

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 001 Rev C (Existing floor plans and elevations, location plan, site plans) dated October 2014, 004 Rev A (Structure plan) dated October 2014,

005 Rev B (Proposed site plan) dated October 2014, 003 Rev A (Proposed structural plans) dated October 2014 and 002 Rev C (Proposed plans and elevations) dated October 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 external walls and roofs of the two storey rear extension hereby permitted shall match in colour and texture to those of the existing dwelling.

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

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side (north and south) elevations two storey rear extension without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

5 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.