

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

REF NO: LU/336/17/HH

LOCATION: 17 Holly Drive
Littlehampton
BN17 6LB

PROPOSAL: Creation of first floor side extension above garage, dormer in rear roof plane,
erection of porch & utility within existing garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application has been the subject of a pre-application enquiry for the same development as is currently proposed in this application. It is proposed to construct a first floor side extension above the existing single storey flat roof garage. The proposed side extension will measure approximately 3.8m in width with an eaves height and ridge height to match the host dwelling. It is intended for the proposal to be constructed from materials which will match that of the existing dwelling. The proposal also seeks to create a porch forward of the primary elevation and first floor dormer to the rear of the dwelling.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The front of the dwelling is open plan as are the fronts of others in the immediate locality. To the rear, boundaries are wooden panel fencing of approximately 2m in height and there is also screen planting within the garden in many places and this between 2m and 4m in height in the main.
SITE CHARACTERISTICS	The application site is occupied by a semi-detached two storey dwelling with brick elevations and integral garage to the east. The roof is gabled and features tiles.
CHARACTER OF LOCALITY	The character of the area is residential and in the immediate locality there are pairs of semi-detached dwellings. It should also be noted that there is a very similar extension to a nearby dwelling on this side of the road, where the ridge has not been set down and the front wall has not been set back.

RELEVANT SITE HISTORY

PAA/130/17/	Creation of first floor side extension above garage, creation of dormer, erection of porch & utility room.	Approve Pre App 19-09-17
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The response relating to PAA/130/17 concluded that the proposal will not give rise to unacceptably adverse harm to the residential amenity of neighbours. It also concluded that the proposed extensions would not result in an adverse visual impact on the appearance of the dwelling or on the street scene. The proposal was considered to be consistent with policies.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Littlehampton Town Council raises no objections.

No representations have been received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

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

SD SP2	Built -Up Area Boundary
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

[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	National Planning Policy Framework
NPPG	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.

Littlehampton has a Made Neighbourhood Plan and Policy 1 & 2 are relevant and the proposal is in accord with these policies.

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 policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

The proposed first floor side extension by virtue of its design and the materials used in its construction is considered to appear well integrated and subservient to the host dwelling in accordance with policy DEV19(i) and (ii) of the Arun District Local Plan.

The proposed first floor side extension will be visible within the street scene but by virtue of its design and location is not considered to have an adverse impact upon the spatial pattern or character of the street scene. Nor is it considered that the proposal will adversely impact upon the character of the host dwelling. Therefore, it is considered that the proposed development will generally accord with policy DEV19(v) and GEN7(ii) of the Arun District Local Plan. Although it will not be subservient, in this case there is not considered to be harm to visual amenity such that refusal would be justified.

The proposed dormer will not be visible within the street scene and as such is not considered to have an adverse impact upon the spatial pattern or character of the area or the host dwelling. The proposed porch by virtue of its location forward of the primary elevation will be clearly visible within the street scene but is not considered to adversely impact on the character of the locality.

The proposed utility room will be situated to the rear of the existing garage. This will see the depth of the garage significantly reduced and as such will prevent the parking of a car within the garage. However, it is considered that adequate parking provision is retained forward of the primary elevation to meet parking demands for the dwelling.

RESIDENTIAL AMENITY

The proposed first floor side extension will be situated approximately 1.3m from the eastern boundary of the site with the first floor of the neighbouring property situated approximately 4.5m from the proposed first floor side extension. It is acknowledged that the neighbouring property features a first floor window on the western elevation. However, it is considered that the separation distance and the fact that it serves a landing area means it will not result in any unacceptably adverse overbearing or overshadowing impacts.

It is considered that the first floor windows situated in the rear elevation of the proposed extension and the proposed dormer window will not result in any unacceptably adverse overlooking, beyond what could

be reasonably expected between residential properties.

Therefore, it is considered that the proposal will not give rise to unacceptably adverse harm to the residential amenity of neighbours and as such accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development does not give rise to unacceptable harm to visual or residential amenity and is consistent with policies.

It is therefore recommended that planning permission be granted subject to 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 drawings:

Block Plan, Scale 1:500 - Received with Application
Proposed Ground Floor Plan - Received with Application

Proposed First Floor Plan - Received with Application
Proposed Second Floor Plan - - Received with Application
Proposed Front Elevation - Received with Application
Proposed Rear Elevation - Received with Application
Proposed Right Side Elevation - Received with Application
Proposed Left Side Elevation - Received with Application
Proposed Plan View of Roof - Received with Application

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed at ground or first floor level in the east side wall of the development hereby permitted 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, DEV19 of the Arun District Local Plan.

- 4 The materials and finishes of the external walls and roofs of the development hereby permitted shall match in colour and texture those of the existing dwelling.

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

- 5 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.