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

REF NO: **LU/360/16/HH**

LOCATION: 6 Highdown Drive
Littlehampton

PROPOSAL: Removal of front porch & replace with ground floor cloak room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The removal of the front porch with a side door projecting 1.2 metres, with a width of 2 metres and a flat roof height of 2 metres and its replacement by a bathroom/cloakroom with the appearance of a porch projecting 2.4 metres from the property with the same width as the previous porch at 2 metres and a hip roof at 2.4 metres in height to the eaves with a ridge height of 3.4 metres. The dwelling house would be accessed by an existing door immediately behind the front of the building in the side elevation adjacent to the existing porch.
SITE AREA	230 sq.m.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open plan to front.
SITE CHARACTERISTICS	A modern semi detached 2 storey house with a driveway to the side. The property currently has a glazed front porch. The front elevation of the property is set back 15 metres from the pavement.
CHARACTER OF LOCALITY	A suburban residential estate. no.s 2-12 Highdown Drive are set back in a triangular shape from the highway across their front gardens and a shared access/parking court.

RELEVANT SITE HISTORY

None relevant.

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/a

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN

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
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 and Alterations to Existing Buildings (residential and non-residential)

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.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Kingston; Littlehampton; Rustington; Yapton.

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

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING
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 proposed replacement of the front glazed porch with a larger structure incorporating a cloakroom/bathroom that appears as a porch is not considered to have a significant impact on the street scene nor on the appearance of the host property.

The properties 2-12 Highdown Way are well set back from the highway minimising any possible impact of the larger front extension proposed.

The neighbouring properties display a variety of different styles of porch including an example of a pitch roofed open porch with brick piers at no. 2 Highdown Drive. The triangular hip roof of the proposed porch like structure would not be out of character at the front of the dwellinghouse.

The proposed cloakroom would appear as a porch like structure and would be constructed of materials to match the existing dwelling house, facing bricks (side elevation) and roof tiles (main roof).

The neighbouring buildings are typified by the use of a variety of facing materials including bricks/render and hanging tiles such that no one material dominates and the proposed use of facing bricks would not be out of character.

Fro the reasons set out above, the proposal is considered to be in accordance with policies GEN7(ii) and DEV19 (i) and (ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The demolition of the existing porch and its replacement by a slightly larger structure incorporating a cloakroom/bathroom would be not be of such a size nor be close enough to neighbouring properties to cause an overbearing impact or loss of light to neighbouring properties.

The Council uses the 45 degree rule to assess whether or not a proposed extension might cause a harm to the neighbouring properties habitable room windows. In accordance with this rule an extension should not intersect a 45 degree line drawn from the centre of the habitable room window of the neighbouring properties . In this case the neither the adjoining semi detached properties front living room window nor the front living room window of the neighbour in the next pair of semi detached properties no. 4 would have a 45 degree line of sight intersected by the proposed front extension.

A sole obscure glazed window is proposed to the northern elevation which would be located close to applicants front elevation and would not afford a view which might cause a loss of privacy to the neighbouring semi detached dwellinghouse it faces towards (no.8)..

As such the proposed cloakroom/bathroom is not considered to give rise to any unacceptably adverse overlooking, overshadowing or overbearing impacts on neighbours and as such is considered to comply with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY
The proposed cloakroom/bathroom front extension is considered to accord with relevant development plan policy and is therefore recommended for approval subject to the following conditions;

HUMAN RIGHTS ACT

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 plans;

Dwg.no.- CO'C/6high/LW/001 REV A - Proposed Block Plan, Elevations and Floor Plans - Dated 22/16/16

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 building 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 The window on the northern elevation of the cloakroom extension shall at all times be glazed with obscured glass and retained as a single opening window.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, 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.