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

REF NO: **LU/368/16/HH**

LOCATION: 59 Oakcroft Gardens
Littlehampton

PROPOSAL: Rear single storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	A single storey rear extension projecting 4 metres from the rear of the dwelling with a width of 4.7 metres across the eastern half of the rear elevation of the dwellinghouse. The height of the extension would be 2.2 metres to the eaves and 4 metres to the ridge of a pitched roof.
SITE AREA	360 sq.m.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	A 2 metre close boarded fence.
SITE CHARACTERISTICS	A detached bungalow with a garage in the back garden.
CHARACTER OF LOCALITY	A uniform estate of single storey bungalows on cul de sac estate roads.

RELEVANT SITE HISTORY

LU/122/63 - Original application for residential development - Records lost

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
PD RESTRICTION
CLASS A ROAD

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):		D DM3 External Space Standards
		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

NPPG	National Planning Practice 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 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.

No policies in the Littlehampton neighbourhood plan are 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 application site is within the built area boundary where the principle of development is acceptable subject to compliance with relevant development plan policies. In the determination of this application the most relevant policies are considered to be GEN7 and DEV19 of the Arun District Local Plan.

DESIGN AND VISUAL AMENITY
The proposal seeks permission for the construction of a single storey rear extension which will extend to the rear of the original dwellinghouse.

The proposal, by virtue of its size and location is considered to appear subservient and well integrated with the host dwelling whilst the use of facing bricks and tiles which match in appearance the host dwelling will further enhance the integration of the proposed extension with the host dwelling. The proposal is therefore considered to be in accordance with policies GEN7(ii) and DEV19 (i) and (ii) of the Arun District Local Plan.

The proposal will not be visible within the street scene due to its location to the rear of the existing dwelling. Therefore, the proposal will not have any impact upon the established character of the

area in accordance with policies GEN7(ii) and DEV19(v) of the Arun District Local Plan.

RESIDENTIAL AMENITY
The proposed single storey rear extension will be located 1m from the eastern boundary with no. 60 Oakcroft Gardens. 60 Oakcroft Gardens has a 3 metre wide driveway adjacent to the shared boundary and has a garage in the rear garden which will obscure any view toward the proposed extension. The extension will be set 6 metres away from the western boundary, 18 metres from the rear elevation of 57 Oakcroft Gardens over a 2 metre boundary fence.
The proposal is not deemed to give rise to any unacceptably adverse impact to residential properties located to the east and west of the application site - this determination has been made due to the distance of the proposal from the boundaries and its design.

The proposed extension is located 6.85 from the northern boundary of the site facing toward a rear 2 metre fence , a 24 metre grass verge and Worthing Road.southern boundary of the site and therefore no impacts would occur to the amenity of any property in that direction.

Therefore, the proposed extension is considered to be in accordance with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

The proposal would leave a rear garden only 6.8 metres in length rather than the 10 metres in length required by policy D DM3 of the emerging Arun District Local Plan. The resulting rear garden total area lwould be 75 sq.m. exceeds the overall level of garden space required in a 3 bed detached property (65 sq.m.)and the property has a driveway to the side and a generous front garden.

It is therefore considered that proposal is acceptable and would not cause any harm to the host property and therefore reasonably complies with policy D DM3 external space standards of the emerging Arun District Local Plan.

SUMMARY
It is recommended that planning permission is granted for the proposed development subject to the below 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;

Proposed Block plan, Floor plan, Elevations - Sheet 1 of 2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 and DEV 19 of the Arun District Local Plan.

3 The materials and finishes of the external walls and roof of the extension 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 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.