

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

REF NO: LU/39/13/

LOCATION: 17 Northway Road
Wick
Littlehampton

PROPOSAL: Single storey extension to form part of annexe. Rear conservatory. Front enclosed porch, covered buggy park and open porch to annexe to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to single storey extensions to the front and rear of the existing dwelling. The extension to the front would project 1.2 metres forward of the existing dwelling to create an open porch and covered buggy park and an enclosed porch measuring 1.6 metres by 2.9 metres. The extension to the rear would comprise a conservatory and annexe wet room and at its widest point would measure 13.8 metres, the depth would range from 2.4 metres to 3.4 metres. The extensions combined with internal alterations would provide an attached ancillary annexe comprising a bedroom, wet room, lounge/kitchen and shared conservatory.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Wall 1.6 metres high breeze lock construction to rear. Fencing/hedging to neighbours boundary approximately 1.6 metres. Frontage small section of 1 metre high wall. Wall to path ranges from 1 metre to 3 metres to garage.
SITE CHARACTERISTICS	Existing end of terrace 2 storey dwelling . Brick elevations. Plain tile roof. Flat roofed garage to side. 2 storey and single storey rear extension to adjoining property.
CHARACTER OF LOCALITY	Predominantly residential characterised by blocks of terraced dwellings of similar design whose front elevations are set well back and face directly onto the highway. Bay windows project forwards at ground floor and many properties have been extended at ground and first floor.

RELEVANT SITE HISTORY

LU/189/00/	Residential extension	Approve Conditionally 10-08-2000
LU/335/10/	Demolition of garage and erection of new house	Refused 08-12-2010
LU/29/11/	Erection of 1 no. 2 bed dwelling (re-submission of LU/335/10/)	Refused 19-05-2011 Appeal: Dismissed 29 09 2011
LU/41/83	Erection of ground floor kitchen and garage extension	Approve Conditionally 16-02-1983

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[DEV19](#)

The Form of New Development
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states

that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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

In principle the extension of the residential property is acceptable subject to no adverse effects resulting to visual or residential amenity and compliance with policy DEV19 of Arun District Local Plan.

The extensions are single storey and in keeping with the existing flat roofed extensions. They would not be unduly prominent or out of keeping in terms of their design or materials which are proposed to match existing. The porches and buggy store to the front elevation would not project significantly forward of the dwelling and would be set back from the site frontage. The rear extensions would not project beyond the neighbours extensions and would not be readily visible from the rear of the site being mainly obscured by existing boundary walling.

In terms of residential amenity the conservatory would be adjacent to the neighbours existing extension and would not therefore result in any adverse overbearing effects and would not be contrary to the degree rule.

The proposal is compliant with policy DEV19 of Arun District Local Plan in that the extensions are visually integrated with the existing building in terms of scale, form, siting and materials, the proposal is visually subservient to the main building, is acceptable in terms of residential amenity and doesn't compromise the street pattern.

Reference to the planning history of the site indicates that a 2 storey extension to the side of the dwelling to create an additional unit of accommodation has previously been refused. This proposal has addressed the previous concerns by significantly reducing the scale of the extensions and amending the nature of the use to ancillary purposes only.

HUMAN RIGHTS ACT

FOR APPROVAL

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(the right to respect for 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 no negative impacts have been identified upon 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 plan 12069/01 R1.

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 accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 17 Northway Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 The materials and finishes of the external walls (and roof(s)) of the building(s) hereby

permitted shall match in colour and texture those of the existing building(s).

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

5 **INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010**

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7,DEV19

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

6 **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.**