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

**REF NO:** LU/43/18/HH

**LOCATION:** 4 Olliver Acre
Littlehampton
BN17 6FD

**PROPOSAL:** Single storey pitched roof rear extension to replace conservatory.

## SITE AND SURROUNDINGS

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| DESCRIPTION OF APPLICATION | As above<br><br>The proposed extension measures approximately 5.2m wide, 3m deep and 3.3m high.<br><br>Materials would match the existing property. |
| SITE AREA | N/A |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A |
| TOPOGRAPHY | Predominantly flat |
| TREES | None of any significance affected by the proposed development. |
| BOUNDARY TREATMENT | To the front of the boundary there are metal railings and mature planting. To the rear there is a timber fence approximately 1.8m high with mature planting. |
| SITE CHARACTERISTICS | The application site comprises a two storey end terrace property set on a modest plot and constructed of brick beneath a tile roof. The property has a rear conservatory. |
| CHARACTER OF LOCALITY | Residential comprising a modern housing estate. The properties are of varying size and design. |

## RELEVANT SITE HISTORY

There is no relevant planning history.

## REPRESENTATIONS

**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

Littlehampton Town Council has no objection.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

## CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

## POLICY CONTEXT

Designation applicable to site:
Built up area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

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

| | |
|---|---|
| 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:

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|---|---|
| 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.

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. A consultation into the proposed modifications ended in February 2018.

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.

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).

The relevant policies in the Littlehampton Neighbourhood Plan have been taken into aacount.

## 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

The application site is situated within the built up area and within established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed extension would be sited to the rear of the property and would not be readily visible from the road. The proposal will involve the removal of a conservatory. The proposed extension would be the

full width of the rear elevation of the house with a lean to roof, it is considered that the proposed extension would be subordinate to the main house and retains an adequate amount of rear garden, approximately 6m deep. It is considered that the proposed extension is in keeping with the character and appearance of the host property and is not considered unduly dominant on the property and as such is not considered harmful to character of the wider area.

The proposed extension is set in approximately 1m from the rear boundary with No.2 The elevation facing No.2 has one window in the side elevation but given the height and boundary treatment with No.2 it is not considered that the proposal will be unacceptably harmful to the amenity of the adjoining occupier in No.2. With regard to the impact on No.6 the proposed extension would be set in approximately 0.1m from the side boundary. There are no windows in the side elevation. The proposed extension replaces a similar depth conservatory. No.6 has a rear conservatory however, given the height of the proposal and the boundary treatment, it is not considered that the proposed development will be unacceptably harmful to the amenity of the adjoining occupier at No.6.

There are no parking implications arising from the proposed development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the character and appearance of the host property and the amenity of adjoining occupiers at No.2 and No.6. The proposed development would therefore comply with planning policies in the Arun Local Plan 2003.

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Therefore, the application is 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 0001, 0011, 0012, 0021A, 0022 & 0023A.

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 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.