

Recommendation Report for Planning Permission

REF NO: LU/59/20/PL

LOCATION: Vernon House
10 Maltravers Drive
Littlehampton
BN17 5EY

PROPOSAL: Kitchen extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed kitchen extension would fill a small gap adjacent to the boundary with a single storey flat roof structure which is 3.5m long with a maximum width of 2.25m. An additional wall mounted extract fan is also proposed to the east elevation.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Fencing to eastern boundary, supplemented by mature hedging to a height of 2 metres. Dwarf wall to front with intermittent hedging. Timber fencing and walling to the rear.
SITE CHARACTERISTICS	Detached 2 storey care home. Flat roof garage to front. Various extensions to side and rear.
CHARACTER OF LOCALITY	Detached 2 storey care home. Flat roof garage to front. Various extensions to side and rear.

RELEVANT SITE HISTORY

LU/57/13/	Rear extension and internal alterations to form new living accommodation.	ApproveConditionally 14-05-13
LU/183/12/	Conversion of existing store into office space	ApproveConditionally 10-09-12

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Environmental Health

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection

Conditions relating to restricting hours of building work and details of cooking apparatus and extract requested.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted. It is not considered necessary to restrict hours of building works nor details of extraction since this is a relatively small extension which is not expected to result in significantly increased levels of air pollution.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM4	HER DM4 Areas of Special Character
QESP1	QE SP1 Quality of the Environment
QEDM1	QE DM1 Noise Pollution
QEDM3	QE DM3 Air Pollution
HERSP1	HER SP1 The Historic Environment
HDM2	H DM2 Independent living and care homes

[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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Policies 1 and 2 of Littlehampton Neighbourhood Plan have been considered.

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 there would be no materially adverse effect on residential amenity or the character and appearance of the 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 proposal is for a small extension which is considered to be acceptable in principle given the siting of the existing dwelling within the built-up area boundary, however this is subject to compliance with relevant development plan policies.

The key policy considerations are HER DM4, D DM1, DSP1 and D DM4 of the Arun Local Plan and Policies 1 & 2 of the Littlehampton Neighbourhood Plan and the National Planning Policy Framework.

VISUAL AMENITY & CHARACTER OF THE AREA

Arun Local Plan policies reiterate Section 12 of the NPPF in that policy D SP1 of the Arun Local Plan requires all development proposals to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy D DM1 sets out a 15 point criteria against which development is assessed. Further, Policy D DM4 of the Arun Local Plan requires accordance with 5 point criteria when assessing applications for extensions and alterations to existing buildings. Paragraph 127 of the NPPF which refers to design, function and quality of the surrounding area is relevant.

It is proposed to extend the premises in a position adjacent to existing structures of similar proportions in matching materials and design. The extension has limited proportions and would be subservient to the host building and would sympathetically relate to/integrate with the host building.

The proposed design of the extension would not be visible from the public domain from the front or rear of the property, but would project slightly above the boundary fencing to the adjacent bowling green and would not therefore alter the appearance of the locality, which is noted as an area of special character. As such the additions are considered to be acceptable from a visual point of view.

The extension itself would not be harmful to the character or appearance of the area and as such is not considered to conflict with the relevant parts of policies HER DM4, D SP1, D DM1 and D DM4 of the Arun Local Plan and paragraphs 127 and 131 of the National Planning Policy Framework.

RESIDENTIAL AMENITY

Policy D DM1 of the Arun Local Plan requires development to have minimal impact to users and occupiers of nearby property and land. Policy D DM4(b) and (c) of the Arun Local Plan requires that extensions and alterations to existing buildings to provide a high standard of amenity that does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Policy QE SP1 of the Arun Local Plan requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity.

The extension would not be located adjacent to a boundary bounded by residential properties and therefore has no adverse impact on residential amenity.

The loss of some private amenity area space is noted with the proposed extensions, however this is not considered to be to the extent that would impact upon current or future occupants with suitable private amenity provision maintained.

Policy H DM2 relates to extensions to care homes which will be supported provided that the scheme is easily accessible, the design can be adapted to meet needs of users and is appropriate to the local context, amenity space is provided and the extension is appropriately sited to support and encourage the continuation of healthy lifestyles. The proposal accords with these requirements. It is appropriately designed, facilitates healthy eating and lifestyles and utilises an area that was not suitable for amenity use.

With regard to potential odour and noise from the improved kitchen facilities the agent has advised that the existing cooker and extraction is to remain and if an additional cooker is required by the client there will be a domestic type extract/cooker hood installed to regulated specification. The kitchen is not commercial and is used solely to provide food for the small number of residents.

Environmental health have requested a condition requiring additional cooking appliances and associated equipment to be controlled by the Local Planning Authority in order to protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan. However the kitchen extension is small and there is no increase in the number of bedrooms or residents proposed. It is also located adjacent to the entrance to the bowling green and tennis courts and therefore a condition is not considered reasonable. The details have been added as an informative instead.

In the absence of any detrimental impact upon visual or neighbouring residential amenity, it is recommended that the application be approved subject to the following 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 plans:
A100 Plans & Elevations as existing 20-007-A100 and 20-007 - A101 Plans & Elevations as Proposed

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun 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 policy D DM1 of the Arun 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.
- 5 INFORMATIVE:
Additional cooking appliances and associated equipment should be installed by a competent engineer before the use hereby permitted commences and thereafter should be maintained in accordance with the manufacturer's instructions