

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

REF NO: LU/64/14/

LOCATION: 5 Sussex Street
Littlehampton

PROPOSAL: Rear ground floor extension. This application may be determined by Littlehampton Town Council under delegated powers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The rear ground floor extension measures approximately 3m in width, approximately 3.6m in depth and approximately 2.9m in height. Materials to match existing.

SITE AREA

Approximately 125 square metres.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Smooth rendered walling painted white to the front measuring approximately 1m in height. There is close boarded fencing at approximately 1.8m in height along the rear south boundary and hedging at over 2m in height along the rear north boundary.

SITE CHARACTERISTICS

A two storey mid-terrace property with smooth rendered elevations and a pitched tiled roof. There is an existing half pitched extension to the rear which is mirrored on the adjoining rear wall of No. 3.

CHARACTER OF LOCALITY

Predominantly residential in character, there are two storey terraced properties in the road.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[DEV19](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

[Publication Version of the Local Plan -
Excluding the Spatial Portrait, Employment,
Housing Allocations, Transport, Monitoring and
Implementation sections \(February 2014\):](#)

D DM1 Aspects of Form and Quality
D DM4 Extensions & Alterations to Existing
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.

The Development Plan consists of the Arun District Local Plan 2003.

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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater

the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a single storey infill extension on the rear wall of a terraced property. In this location, the extension will not be visible from the street scene or any public vantage point. The extension will have a flat roof and reach a maximum height of 2.9m. There is an existing rear projection with a half pitched roof which is part of the property and this extension will be in line with the depth of this existing feature. In this regard, the extension is considered to infill a small gap at ground floor level.

The extension has been designed to be sympathetic and in-keeping with the property by maintaining the eaves height set by the existing projection and matching materials for acceptable visual integration. The neighbouring property of No. 7 immediately to the south has infilled a similar sized gap with a wooden structure and so the proposed extension would not be out of

character with the backs of this terraced row.

It is therefore considered to comply with relevant policies GEN7(ii) and DEV19(i) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The existing projection to the rear of the property will buffer the proposed flat roof extension from No. 5 to the north and so will not cause any unacceptable effects. The other immediately neighbouring property of No. 7 has an infill extension with approximately the same height and depth as the one being proposed. With a brick wall and close boarded fencing running along the rear southern boundary at approximately 1.8m in height, it is considered that the proposed extension will not cause any harmful residential effects including overbearing or overshadowing. There are three patio doors being proposed but these will face out on to a long private rear garden. A new rooflight is marked on the plans for the south-facing roofslope of the existing rear projection. However, this is set high within the roofslope at approximately 3m from ground level and is angled upwards due to the steep roof pitch. It is therefore considered to not cause any unacceptable overlooking on to neighbouring properties.

The proposal is therefore considered to comply with relevant policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

It is therefore recommended that the application is 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 family and private 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, a neutral impact has 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.

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: drawing numbers 1095/P/3 (Location and block plans), 1095/S/1 (Existing floor plans), 1095/P/1 (Proposed floor plans), 1095/S/2 (Existing elevations), 1095/P/2 (Proposed elevations) all dated March 2014.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls of the rear extension hereby permitted shall match in colour and texture to 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 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.