

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

REF NO: LU/77/18/HH

LOCATION: 16 Madehurst Way
Littlehampton
BN17 6HD

PROPOSAL: Single storey side & rear extensions (resubmission following LU/355/17/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension to the side will be in line with the existing front elevation and have the same ridge height but will be only half the width of the existing bungalow. To the rear it will project 4 m beyond the existing rear elevation with a flat roof and extend 7 metres across the back of the existing bungalow leaving a gap of 5 m to the south boundary.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a 1.8 m close boarded fence at the front of the property set back from the road and 1.8 m close boarded fences to the side and rear boundaries. The property to the north of the other side of an alleyway has a 1.8 m fence on the boundary with planting behind to a height of more than 4 m.
SITE CHARACTERISTICS	The application site is an L shaped bungalow with a gabled front projection built of brick with the rest of the building brick and white painted render with a brown concrete pantiled roof. It is sited on a roughly triangular plot with a wider front garden than the rear. There is 2.5 metres to the shared boundary with the house to the south and 10 m to the alley way at the edge of the plot which runs between it and the rear garden of the house to the north.
CHARACTER OF LOCALITY	Residential estate of detached and semi-detached bungalows set back from the road with open plan front gardens. At the rear is a recreation area. There is an alley way separating this property from the property to the north which leads to the recreation area.

RELEVANT SITE HISTORY

LU/355/17/HH	Single storey side extension to form annexe ancillary to main dwelling.	Withdrawn 14-12-17
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noted. The previous application was for a non-subservient self contained annex.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
no objection

COMMENTS ON REPRESENTATIONS RECEIVED:

noted

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Within the built up area boundary

DEVELOPMENT PLAN POLICES

[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 \(October 2014\):](#)

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

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

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).

Littlehampton Neighbourhood Plan has been made and the relevant policies considered in the determination of this application.

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 site is in the built up area therefore the development is acceptable in principle subject to compliance with policies GEN7 and DEV19 of the Arun District Local Plan. A previous application for an extension, which was subsequently withdrawn, was longer with a projecting gable resulting in a mirror image which gave the appearance of a separate dwelling and had the capability of being subdivided so that the original dwelling would look like, and had the potential to become, one half of a semi-detached pair. The revised proposal remains subservient in size and appearance and retains an open aspect around the site. Due to the length of the rear garden of the houses to the north and the existing alleyway and 1.8 m high fence with vegetation to a total height of more than 4 m there will be no impact on the amenities of those properties. The extension will appear subservient and providing the material match the existing will not be intrusive in the street scene. The extension at the rear will be single storey and only 1 m higher than the existing fence and there will be a gap of 5 metres to the shared boundary. Therefore the impact on the amenities of that property will be minimal. As such the proposal complies with policies GEN2, GEN 7 and DEV19 of the Arun District Local Plan, policies SD SP2, D DM1 and D DM4 of the Arun Local Plan 2011-2031 and policy 1 of the Littlehampton Neighbourhood Plan.

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 (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 plan: 17/46/2A, 1746/3A and 17/46/4

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 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.