

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

REF NO: LU/85/18/HH

LOCATION: 37 Tideway  
Littlehampton  
BN17 6PP

PROPOSAL: Single storey rear extension

**SITE AND SURROUNDINGS**

|                            |                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The application seeks to construct a single storey extension to the rear of the dwelling.                                                              |
| SITE AREA                  | N/A                                                                                                                                                    |
| TOPOGRAPHY                 | Predominantly flat                                                                                                                                     |
| TREES                      | None of any significance affected by the proposed development.                                                                                         |
| BOUNDARY TREATMENT         | The front of the property is open with driveway access to a garage. The rear and side boundaries consist of fencing around 1.8m in height and hedging. |
| SITE CHARACTERISTICS       | The site is occupied by a detached house with an attached garage to the front of the property.                                                         |
| CHARACTER OF LOCALITY      | The area is predominantly residential with housing of similar housing styles and designs.                                                              |

**RELEVANT SITE HISTORY**

None

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council  
Parish Council provided no objection to the application.  
No representation from nearby occupiers

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted

**CONSULTATIONS**

**CONSULTATION RESPONSES RECEIVED:**

None

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted

**POLICY CONTEXT**

Designation applicable to site:

Built up area boundary

PD Restriction

**DEVELOPMENT PLAN POLICES**[Arun District Local Plan \(2003\):](#)

|       |                                              |
|-------|----------------------------------------------|
| GEN7  | The Form of New Development                  |
| DEV19 | Extensions to existing residential buildings |
| GEN2  | Built-up Area Boundary                       |

[Publication Version of the Local Plan \(October 2014\):](#)

|                                                      |
|------------------------------------------------------|
| D SP1 Design                                         |
| D DM1 Aspects of Form and Design Quality             |
| D DM4 Extensions & Alterations to Existing Buildings |
| SD SP1 Sustainable Development                       |

**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 plan was subject to consultation until 23rd 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).

Littlehampton has a made neighbourhood plan, however none of the policies are relevant to this application.

## **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

### **PLANNING**

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

### **DESIGN AND VISUAL AMENITY**

The proposed extension is situated to the rear of the dwelling. Whilst most of the development is not visible from the street scene, it will be possible to view part of the proposed roof situated behind the garage however the impact on the street scene is considered minor. The materials used will match that

of the existing property and due to the size of the extension it is considered subservient to the host dwelling.

It is not considered that the proposed extension will have any unacceptable impacts upon the spatial pattern or character of the area and accord with DEV19 and GEN7 of the Arun District Local Plan.

#### NEIGHBOURHOOD RESIDENTIAL AMENITY

The proposed extension will have a height of 3.55m and an eaves height of 2.35m. It will extend to 3m in length and run along the full width of the rear elevation.

A set of windows and doors will be installed to the eastern elevation and will overlook the rear garden with 12.5m separation to the rear boundary. A window will also be installed to the southern elevation.

However due to the location of the window and the boundary treatment it is not considered to give rise to any harm to the amenity of adjoining occupiers due to loss of privacy or outlook.

The proposed development is not considered to give rise to any unacceptable adverse overlooking, overshadowing or overbearing impacts upon the neighbouring amenity and therefore is in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

#### SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

#### 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 plans
- Block Plan
  - Location Plan
  - Hedge and Tree Location Plan - AH005
  - Proposed Ground floor and Roof Plan
  - Proposed Elevation Plan - AH003
  - Existing Floor and Roof Plan- AH002
  - Existing Elevation Plan - AH001

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 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.