

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

REF NO: LU/139/26/HH

LOCATION: 39 Windward Close
Littlehampton
BN17 6QX

PROPOSAL: Single-storey rear extension, two-storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Littlehampton Town Council - No objection and would encourage the addition of bee bricks or bird boxes to the applicants plans to support biodiversity.

1 No. letter of objection received for the following reasons:

- The proposal is close to the boundary of No.41 Windward Close and goes back from the main building into the garden.
- The window on the southern side elevation could give issue later.
- Sharing garage party wall.

Concerns regarding party wall agreement would fall outside of the jurisdiction of planning and covered under separate legislation.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT**DESIGN AND VISUAL AMENITY**

The site is a linked semi-detached property located at 39 Windward Close. This application seeks planning permission for the construction of a single-storey rear extension and a two-storey side extension.

The site lies within a residential area characterised by a varied pattern of linked semi-detached and terraced dwellings. Several nearby properties have constructed single-storey rear additions. It is also noted that No. 45 Windward Close benefits from a two-storey side extension which is set back from the principal elevation. This provides relevant context for assessing whether the proposed scale and form would appear acceptable within the street scene.

The proposed single-storey rear extension would have a width of 7.7m and project 2.6m beyond the rear building line. The projection would comply with the Arun Design Guide (ADG) guidance of 3.3m. The flat roof would have a height of 2.95m and an eaves height of 2.5m. Although the remaining garden depth of 6.4m would fall below the ADG guideline, the depth beyond the rear elevation, flat roof form, and

presence of comparable rear extensions nearby, indicate that the extension would not appear excessive or harmful. On balance, the single-storey rear extension would preserve the character and visual amenity of the host dwelling.

The first-floor side extension would be constructed above the existing garage footprint, partly extending over the proposed side and rear extension. It would have a width of 2.7m and a depth of 7.4m. The extension would have a pitched roof to match the existing dwelling. It would be set down from the ridge by 0.4m, set back from the principal elevation by 0.4m and set in from the rear elevation by 0.6m. It is acknowledged that the extension would not comply with Part M of the ADG separation distances for first-floor side extensions, as it would abut the southern side boundary with No. 41 Windward Close to the south. However, given the mixed character of the surrounding street scene, which includes linked semi-detached and terraced dwellings, the extension would not appear out of keeping in this context. Furthermore, it would be set down from the ridge, set back from the principal elevation, and set in from the rear elevation. Matching materials and a consistent roof form would further ensure the extension remains subservient to the host dwelling. As such, although the extension would abut the boundary, it would not result in a harmful terracing effect, nor would it appear unduly prominent or incongruous within Windward Close.

At ground-floor level, the proposed fenestration would be limited to the rear eastern elevation and would comprise a single glazed door with a side window and two casement windows. At first-floor level, there would be a two-casement window on the front elevation and a two-casement window on the southern flank elevation serving a bathroom. The windows and doors would be uPVC to match the existing. The proposed materials would also match the host dwelling, ensuring the extensions would integrate appropriately and preserve the character of the property, in accordance with Arun Local Plan policies D DM1 and D DM4.

The proposed single-storey rear extension and two-storey side extension would not result in harm to the character, appearance, or visual amenity of the host dwelling or street scene and would be in accordance with Arun Local Plan policies D DM1 and D DM4, and the ADG.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states householder extensions should protect neighbouring amenity in terms of overshadowing, overbearing, and overlooking impacts by considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed single-storey rear extension would be positioned up to both the northern and southern boundaries. The northern boundary adjoins a side road access to private garages and the southern boundary adjoins a neighbouring property. It is acknowledged that the extension would project beyond the neighbouring rear elevation to the south. However, the neighbouring property has a linked garage positioned along the shared boundary and as such, the single-storey extension would project alongside the garage rather than directly affecting a habitable room. Given the modest 2.6m projection, the flat roof design, the height of 2.95m and the existing boundary treatment, the extension would not result in a materially harmful overshadowing or overbearing impact on the neighbouring property.

The first-floor side extension would be set back approximately 7.4m from the front western boundary and 8.8m from the rear eastern boundary. It is acknowledged that the extension would abut the southern side boundary with No. 41 Windward Close and would not meet the ADG Part M guideline of a 2m separation for first-floor side extensions. However, the surrounding area includes similar side-boundary relationships, including at No. 43 Windward Close and 68 Armada Way. Notwithstanding this, it is acknowledged that the proposed extension would result in some overbearing impacts to the neighbour to the south. However, the adjoining extension at No. 41 is understood to be a linked garage rather than a habitable room of the neighbouring property and given the width of the extension and its set-back and

set-down design, the proposal would not result in unacceptable overbearing or overshadowing harm to the neighbouring property to the south.

The proposed first-floor front western elevation would include a two-casement window with an outlook over the host dwelling's front amenity space. The proposed first-floor southern side window would serve a bathroom. Given its close proximity to the boundary and as it would not achieve the 2m separation distance required for first-floor side extensions under Part M of the ADG, it would be reasonable to attach a condition requiring this window to be obscurely glazed and fixed shut/non-opening below 1.7m above internal floor level. This would ensure that the development would not result in overlooking or a loss of privacy to the neighbouring garden to the south.

The proposed development would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policies D DM1 and D DM4, and the ADG.

PARKING

Part I of the ADG requires dwellings with four or more bedrooms to provide a minimum of three parking spaces. The existing front driveway can accommodate two off-street parking spaces. The existing garage has already been converted to habitable use as an office and therefore does not currently provide usable parking. In any event, the garage would not meet the current recommended internal dimensions for a parking space, as it measures approximately 5.5m in depth and 2.6m in width, below the recommended 6m by 3m standard.

The proposal would therefore not result in the loss of any existing usable off-street parking. While the dwelling would not meet the full three-space standard, the development would not worsen the existing parking situation. Given that the garage is already unavailable for parking and is substandard in size, it would not be reasonable or necessary to require additional parking as part of this proposal. The parking arrangements are therefore acceptable in this case.

SUMMARY

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

Built-Up Area Boundary.

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

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.

CIL DETAILS

This application is not CIL liable.

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:
 - Existing Location and Block Plan Drwg No. 2058-DPA-01 Rev A.
 - Proposed Block and Roof Plans Drwg No. 2058-DPA-02 Rev B.
 - Proposed Floor Plans Drwg No. 2058-DPA-04.
 - Proposed Elevations Drwg No. 2058-DPA-06.
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.
- 3 All of the windows at or above first floor level in the southern flank elevation of the two storey side extension shall at all times be and remain glazed entirely with obscure glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and be non-openable below 1.7m above finished floor level. This arrangement shall be retained permanently thereafter.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with Arun Local Plan policies D DM1 and D DM4.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.