

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

REF NO: LU/140/22/HH

LOCATION: 19 Falcon Gardens
Littlehampton
BN17 7RA

PROPOSAL: Single storey rear extension with flat roof and installation of 1 x side window.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to erect a single storey rear extension that is to be approx. 3.5m in depth, running the full width of the rear of the dwellinghouse.
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REPRESENTATIONS

Littlehampton Town Council - No Objection.

No representations from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environment Agency - No Objection.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
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Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
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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

PRINCIPLE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours, and the locality.

Policy D SP1 of the Arun Local Plan regards the design of new development and states that it should be informed by sustainable design and should reflect the characteristics of the existing site and the locality in which it is situated. These characteristics include layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Arun has adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Section M states that extensions should respond to the distinctiveness and characteristics of the existing property and their surroundings in terms of scale massing and materials and protect the amenities of occupants and neighbours. Section M presents the '60 and 45 degree rules'. These rules refer to the 60 and 45 degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight.

Policy 1 of the Littlehampton Neighbourhood Development Plan (LNDP) states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable. This proposal is compliant with relevant Development Plan Policy 2 of the LNDP and as such, is compliant with this policy.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development in the built up area boundary (BUAB). This proposal is within the BUAB and as such, is compliant.

DESIGN AND VISUAL AMENITY

The proposal is to be approx. 3.5m in depth, 6.3m in width and 3.1m in height with a flat roof concealed behind a parapet wall. The proposal is small in scale and of a subservient design. It is to be sited to the rear of the property and project off of the existing rear (western) elevation. The materials proposed for the rear extension are to match those found on the host dwelling, affording a sense of visual integration with the existing dwelling. The scale and massing are an appropriate form of development and accord with Design Guidance when seeking extensions which respond to the distinctiveness and characteristics of the existing property.

The proposal is to the rear of the property and not visible from the street. As such, it has no visual impact on the street scene. It is also not out of character within the locality, as there are numerous examples of rear extension within the area.

The proposal is compliant with relevant Development Plan policies D DM1(1), D DM4(a)(b) & D SP1 of the Arun Local Plan. Additionally, it is compliant with section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

Design Guidance states that to avoid significant impacts on neighbouring amenity in terms of privacy and overshadowing, rear extensions should accord with the 60-degree rule (single-storey) and retain a rear garden length of 10.5m. The scale and positioning of the rear extension, adjacent to the boundary shared with No 17, is such that it will not intersect 60-degree light accessibility lines when running from No 21 Falcon Gardens. However, it will intersect the 60-degree sightlines from the closest ground floor rear

window of No. 17. This obstruction would be minor and the window in question serves a kitchen, a room with limited use so therefore not so critical in terms of amenity value for the occupants.

Given the minor obstruction of this window, and by reason that the proposed extension would only be 500mm longer than that permissible under Permitted Development Rights, any adverse impact by way of it be overbearing is acceptable. The rear garden length retained is under that recommended by design guidance. This is acceptable in terms that the dwelling is afforded an element of 'side' garden as well as rear space because of the siting of the boundaries to the property. The scale of the proposal is such that it would not give rise to any significantly adverse impacts by way of overbearing or overshadowing on any neighbouring properties.

The extension provides 2 No. new viewpoints. One on the northern (side) elevation and one on the western (rear) elevation. Both windows are at ground level and lookout to the rear and 'side' amenity space where there are no new views created.

By virtue of not giving rise to any adverse impacts by way of overbearing, overshadowing, or overlooking the proposal is compliant with relevant Development Plan policies D DM1(3) & D DM4(c) of the Arun Local Plan.

SUMMARY

The proposal is compliant with relevant Development Plan policies and Neighbourhood Plan policies. It is also compliant with, or within justifiable contradiction to, relevant sections of the Arun Design Guide. As such, it is recommended for approval subject to the following conditions and informatives.

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.

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:

- Location and Block Plan AL(00)01 B
- Proposed Elevations AL(02)02 E
- Proposed Floor Plans AL(02)01 E

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 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.