

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

REF NO: LU/209/21/HH

LOCATION: Lamorna
Berry Lane
Littlehampton
BN17 5HD

PROPOSAL: Retrospective application for the erection of a link extension between garage and dwelling, and the conversion of existing garage and storage area into annexe.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

LU/150/71	Addition To Form Bedroom Balcony And Car Port	Approve 12-07-71
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ENF/347/20	Alleged unauthorised extension and use a a separate unit of accommodation.
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REPRESENTATIONS

Parish Council - No Objection.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
BUAB

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)

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Policy 1 of the Littlehampton Neighbourhood Development Plan 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.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development in the built up area boundary.

VISUAL AMENITY AND DESIGN

An infill extension has historically occurred behind the garage which has created a link between the garage, main dwelling and other extensions to the rear; leading to a piecemeal extension which is too large for Permitted Development allowances. The size and scale of the rear and side structure therefore also form part of this application alongside its conversion to habitable. The size of the rear and side extensions are deemed acceptable as they are subservient in scale and from the street appear sympathetic to its design.

Very few alterations have been made to the property to enable the conversion of the garage, the scale of the accommodation provided appears to be appropriate for its intended use as an annex.

The various alterations to the windows at ground floor level are allowable under the properties Permitted Development Rights, the windows are similar in nature to those which are already in situ on the existing dwelling.

The materials used in the construction are those already found on site.

No restrictions to the properties Permitted Development Rights have been found and as such the conversion of the garage is acceptable. It is also noted that there is ample parking on site and therefore Arun's parking standards have been met.

Having regard to the aspects of form and design quality, the proposal is deemed to accord with D DM1 and D DM4 of the Arun Local Plan and Part M of Design Guidance. The proposal complies with the NP policies due to being within the built up area.

RESIDENTIAL AMENITY

The piecemeal extension to the rear and side of the property have created an overall development too large to benefit from Permitted Development Rights, however it is noted that the structure appears to have been on site in one form or another for some time. No representations during the course of this application from neighbours have been received about the structure.

Although a rear extension, the 45-degree rule is not applicable in this instance as the property is set forward of its nearest neighbour to the west.

The alterations to the fenestration are allowable under the properties Permitted Development Rights. All windows will be to the ground floor and be constructed of similar materials and to a similar style. No negative impacts from overlooking are likely to arise after the conversion from non habitable to habitable accommodation.

The current design shows the conversion into ancillary living space, however the application has described this as a conversion to an annex. A new door and porch area suggest that this space may be used for independent living in the future. Whilst this is acceptable if the accommodation is to be ancillary to the main dwelling, an independent unit would require planning permission, as such the new accommodation will be conditioned to remain ancillary to the host dwelling in the interests of protecting privacy and amenity of neighbours.

It is considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM1 and D DM4 of the Arun Local Plan and Part M of Design Guidance. The proposal complies with the NP policies due to being within the built up area.

PARKING

Whilst the proposal results in the loss of the garage there would be adequate space within the site for parking associated with the dwelling.

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

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 Liabe as the plans do not show the annexe to be self contained. Developer contributions towards infrastructure would be required (dependant on any exemptions or relief that may apply) for a self contained annexe.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans;

- Location and Block Plan S301
- Proposed Ground Floor Plan P201
- Proposed Roof Plan P202
- Proposed Front Elevation P203
- Proposed East Elevation P204
- Proposed Rear Elevation P205
- Proposed West Elevation P206

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 2 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Lamorna, Berry Lane as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 and D DM4 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.