

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

REF NO: LU/253/20/HH

LOCATION: 33 Potters Mead
Littlehampton
BN17 7HY

PROPOSAL: Erection of two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to construct a two storey side extension. This follows previous refusal LU/255/19/HH, and the appeal, which was dismissed.

This application proposes limited changes only from that which was previously refused in that the front and rear faces have been set back from those of the host dwelling, by way of 1m deep sloped roof, single storey elements. Furthermore, this application proposes the removal of the large front porch. All other aspects remain as previously refused.

RELEVANT SITE HISTORY

LU/255/19/HH	Construction of two storey side extension and associated works	Refused 11-10-19 Appeal: Dismissed 21-07-20
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REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

REPORT_1011(ODB)

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

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance
 NPPDG National Design Guide

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 of the Littlehampton Neighbourhood Development Plan.

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.

DESIGN AND VISUAL AMENITY

Due to the siting of the proposed development, and its scale, there will be views of the extension from Potters Mead and Courtwick Lane itself. The property has a significant presence within the street scene, and the wider area. The proposal adds significant bulk to the property at a visible point in close proximity to the highway/street scene and a point of which is visible from the wider locality.

The difference between this proposal and the one previously refused under LU/255/19/HH involves the reduction of the depth of the proposed to site the two storey element 1m from the existing front, and rear elevations. Additionally, through the matching of the eaves height with that of the host dwelling, and therefore, the row of houses. The

The proposal has a width of 4m, projecting from the Eastern wall of the dwelling towards the street scene of Potters Mead. This would infill a spatial gap, in an area characterised by the area appearing spacious and open due to the built form being set back from the street scene in a constant and uniform manner. The area is host to terraced dwellings, with public amenity areas at the end of the terraces, creating 'buffers' between dwelling boundaries and the highway.

Furthermore, the extension is not considered to integrate well with the host dwelling , in that the ridge height of the host dwelling is only 0.5m lower than that of the host dwelling. The proposed addition of a bulky side extension to the East of an existing uniform row of is not considered to appear well integrated with the host dwelling, or subservient its built form. As such, it would result in harm to the character of the host dwelling itself, the row of houses the host dwelling and the locality, through the introduction of an unattractive, alien feature.

In 2003, under reference LU/343/02, the change of use to allow this area of the application property to

become a private garden, with 2m fencing was approved. However, the fencing is at 'ground floor' level only, and is not considered to have the same harmful impact as the proposed two storey side extension which would dominate this location and the wider street scene.

The attempt to amend the built form of the proposed development in order to receive a favourable decision is noted, however, it is not considered that the proposed alterations allow for this to take place. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to give rise to harmful impacts on residential amenities of nearby occupiers due to the separation distance between the extension and neighbouring dwellings allowing an acceptable distance to prevent overshadowing or overbearing impact. Additionally, the openings are not considered to provide views that are not available from the host dwelling at current. Therefore, the proposal is considered to accord with D DM1(3) of the Arun Local Plan.

SUMMARY

It is noted that changes have been made to address the comments raised by the Inspector, however they are not considered to overcome the overall decision to dismiss the appeal.

Whilst the previous large proposed porch, seen by the Inspector as a discordant feature in the street scene, has been deleted and the footprint of the extension has been reduced it still extends out by the same amount, is of the same height and same design. In doing so its siting and scale still introduce a new element which creates an inconsistency in the simple form of the row of houses.

The proposed development is considered to result in a harmful impact upon the host dwelling, and its locality in conflict with policies D DM1 and D DM4 of the Arun Local Plan, and is as such recommended for refusal.

The Inspector was of the view that, subject to an appropriate design, a two-storey side extension at No.33 would not necessarily be unacceptable by reason of its bulk and proximity to the road. For this to be the case and so as to integrate the extension to the host dwelling, the maximum height of the extension would need to be lower, both the ground and first floors would need to be brought in by more than 1m from the front and rear faces of the host dwelling, and the width of the proposal would need to be reduced so as to increase the distance from the road and thereby retain some of the character of the terrace.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

RECOMMENDATION**REFUSE**

- 1 The proposed development has a detrimentally harmful impact upon the established character of the host dwelling, and its wider locality as a result of its significant bulk, and siting. Therefore, it is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.