

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

REF NO: LU/273/19/HH

LOCATION: Windlesham
7 St Winefrides Road
Littlehampton
BN17 5NL

PROPOSAL: Single storey rear extension and single storey extension to rear of existing garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension, and an extension to the garage.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council
Parish Council - No objection.

2 objection letters from 1 household:

- The height of the proposed development will overshadow the garden and rear of the property to the North.
- The length of the proposal is approximately half of the garden length of these occupiers.
- Due to the height and length, the occupiers will be looking at a large brick wall.
- The extension will affect the roots of a neighbours tree.
- The flat roof does not provide an attractive outlook from the windows of the neighbours kitchen.

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
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and Policy 2 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.

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 within the built up area boundary.

DESIGN AND VISUAL AMENITY

Due to its location, the proposed rear extension is not visible from the street scene and therefore does not give rise to any unacceptable adverse impact on the character of the locality or the established pattern of the area. The maximum height of the proposed development is 4.4m from ground level, however, this is atop of a rooflight, with the majority of the extension being approximately 5m lower than the existing ridge height of the host dwelling. Therefore, the proposed development is considered to appear subservient, nor is it deemed to harm its established character.

There will be few available views of the proposed extension to the garage, due to its siting. Due to this, and the proposed materials, the proposal is considered to appear subservient to, and well integrated with, the host dwelling.

Therefore, the proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension is considered to result in a significantly harmful impact upon the residential amenities of neighbouring dwellings. It is considered that as a result of the scale, and proximity of the rear extension to the Northern boundary of the application site, it will cause harmful overshadowing, and have an overbearing impact on the occupiers of the property to the North. The majority of the proposed extension is at a height of 3.2m, which is approximately 1.4m above the height of the boundary treatment

fencing between the application site, and the neighbour to the North. At a length of approximately 9.5m, this is considered to result in a significantly harmful overbearing impact upon the occupiers of the dwelling to the North. With regard to loss of privacy, all of the proposed openings are at ground floor level, and therefore, do not provide any views different to those available from the application site at current.

The proposed development is considered to be in conflict with D DM1(3) and D D DM4(c) of the Arun Local Plan, due its detrimental impact on the occupiers of the dwelling to the North of the application site, by way of overbearing, and overshadowing.

SUMMARY

The proposed development is conflict with D DM1(3) and D DM4(c) of the Arun Local Plan, in that it results in a significantly harmful impact on the occupiers of the dwelling to the North, by way of overshadowing, and overbearing impact.

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.

RECOMMENDATION

REFUSE

- 1 The proposal, due to its height and length, will have an an unneighbourly overbearing effect on the occupiers of Little Beeches, 9 St Winefrides Road in conflict with D DM1(3), and D DM4(c) 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.