

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

REF NO: LU/275/20/HH

LOCATION: 6 Genoa Close
Littlehampton
BN17 6SE

PROPOSAL: Two storey side/rear extension and single storey front extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Single storey front extension, two storey side/rear extension with a pitched roof measuring a maximum height of 8.4m with an eaves height of 5.2m.

REPRESENTATIONS

Littlehampton Town Council:
No objection

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the 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

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
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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. 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.

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.

DESIGN AND VISUAL AMENITY

The proposed two storey rear extension is sited to the rear of the host dwelling, and as such, there are few views available of the proposal from the public realm and the views from the footpath to the South West are not considered to lead to views of the extension that would be considered unacceptable. Therefore, the proposed extension is not considered to result in any significantly harmful impact upon the character of the area, due to its lack of presence within the street scene.

The maximum height of the proposal is 8.4m, with an eaves height of 5.2m. Whilst this is lower than the maximum height of the host dwelling itself by 0.1m, the proposed development is not considered to be subservient to the host dwelling as it will appear as a significant extension with a mass and design that is not visually integrated to the parent dwelling in conflict with policy D DM4(a) and (b) of the Arun Local Plan.

However, due to the siting of the extension, the proposed development will not be visible from the public realm and not have an impact on the local street scene in compliance with policies D DM1(2) and D DM4(e) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

As a result of the scale of the proposal, and it abutting the western boundary of the application site, it will have an unneighbourly and overbearing impact upon the occupiers of the neighbouring property.

The proposed extension is at an eaves height of 5.2m when directly adjacent to the western boundary. At a projection length of 4.5m and at such close proximity this results in an unneighbourly impact upon the adjacent occupier, as it both overshadows and overbears this area of neighbouring amenity space.

The extension also conflicts with the 45 degree rule at both ground and first floor and the overshadowing results in a loss of light to habitable rooms.

With regard to loss of privacy, all of the proposed openings are to the rear of the proposal and therefore there will be no undesirable overlooking of neighbouring gardens.

The impact on the neighbour to the east is also considered to be domineering and unneighbourly due to the bulk of the structure on the boundary. It will have an unneighbourly effect overshadow the garage of the property it is considered unacceptably overbearing.

The proposed development is considered to be in conflict with policies D DM1(3) and D DM4(c) of the Arun Local Plan due to its unacceptable adverse impact on neighbouring occupiers.

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

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

REFUSE

- 1 The proposed development by reason of its scale, design and location has a detrimentally harmful impact upon the established character of the host dwelling, and the residential amenities of neighbouring residents in conflict with policies D DM1 and D DM4 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 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.