

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

REF NO: LU/333/21/HH

LOCATION: 2 Larkspur Close
Littlehampton
BN17 6WB

PROPOSAL: Two storey side extension, single storey rear extension and part conversion of garage to habitable use.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION First floor side extension above existing garage and single storey full width rear extension measuring approximately 2.7m in depth.

REPRESENTATIONS

Town Council - No Objection.

3 Letter from Neighbour - Objection

- Invasion of privacy to neighbours.
- Block out sunlight.
- Parking issues.
- Noise from building work.
- Effect the symmetry of property.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
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)
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2

A Spatial Plan for the Town

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 T SP1 ensures development of the transport network so that it reduces the need for car travel, promotes green infrastructure, protects the major road network, maintains appropriate levels of parking standards and requires applications to consider and design for development in relation to transport infrastructure.

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, side extension should also be subservient to the host dwelling and respect the space between buildings.

Policy 1 of the Littlehampton Neighbourhood Development Plan (LNP) 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 (BUAB). The application is within the BUAB.

DESIGN AND VISUAL AMENITY

The rear extension is to a size allowable under Permitted Development rights and is therefore seen as appropriately sized and scaled. The extension above the existing garage is seen as an effective use of the plot, building above existing structures is seen in a positive light under design guidance.

The extension is subservient to the dwelling in that it will have a lower ridge height and will be set back from the primary elevation. It is not considered to have a significantly detrimental impact on the established character of the host dwelling as a result of its design, scale and use of materials. It would be visually integrated with the existing dwelling and would result in a sympathetic addition to the property.

The proposed extension is readily visible from the street scene given its prominent location and open frontages to the properties within the estate. However, given the design of the proposed development, it is considered to be well integrated with the host dwelling and resultantly, the development is not

considered to be visually harmful to the established character of the area or the property.

Therefore, the proposed development is considered to be in accordance with policies D DM1 and D DM4, Part M of the Arun Design Guide and policy 1 of the LNP.

RESIDENTIAL AMENITY

The proposed extension is not considered to give rise to any significantly adverse impact on the neighbouring dwellings. The orientation of the extension is considered to be suitably positioned in order to prevent any unacceptable overbearing or overshadowing of adjacent dwellings. The 45-degree rule for rear extensions will be adhered to and the first floor extension will not go beyond the existing rear building line.

The impact of overlooking from the rear is no worse than that resulting from the existing dwelling, and there are no windows proposed on the side (South-eastern) elevation of the extension, this is also considered to preserve the existing level of privacy.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

Objections have been raised relating to the potential noise from building works. It is reasonable to allow alterations to residential homes and working hours are controlled by Environmental Health through statutory nuisance legislation. Similarly whether the proposal is constructed by a self-builder or by professional contractors is not a material consideration when considering the merits of this proposal. It is therefore unreasonable to refuse this application on the basis that there will be potentially noise resulting from the works to implement the proposal.

PARKING

Parking has been raised as a concern for neighbours, whilst the property will only be afforded 1 parking space further to the works proceeding, it is noted that there is ample unrestricted on-street parking. As there are no restrictions to the conversion of the garage in to habitable accommodation the property could convert the garage without the need to seek planning permission.

The conversion of the garage is considered acceptable, and without parking restrictions on site the amount of parking provision is in accordance with policy T SP1 of the Arun Local Plan.

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 CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 Plan
- Proposed Ground Floor Plan 2863/01/03
- Proposed First Floor Plan 2863/01/04
- Proposed Plans and Elevations 2863/01/02 sub'd on the 14th December 2021.

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.

- 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.