

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

REF NO: LU/35/26/HH

LOCATION: 11 Fleet Close
Littlehampton
BN17 6SD

PROPOSAL: Proposed two storey rear extension and single storey side porch and new windows to side north elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Littlehampton Town Council - Objection:

The committee objected to the application due to overdevelopment and overshadowing.

The proposed two storey extension was seen to be over-bearing and out of scale compared to the neighbouring properties. Should the application be approved, members suggested the conditional addition of a swift box due to its proximity to reported swift nests.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

Noted.

POLICY CONTEXT

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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

CONCLUSIONS

BACKGROUND

The surrounding locality is predominantly residential in nature, comprising dwellings of varying styles and designs. The area is defined by its open character, which contributes to the uniform appearance of the estate. This open plan layout is secured through an open plan condition attached to the original planning permission for the development, granted under reference LU/411/72.

Amended plans were submitted by the applicant toward the end of the application process, proposing a reduction of the two storey extension by approximately one metre. These plans were not accepted for consideration. During discussions with the Local Planning Authority, the agent was advised that revisions were not being sought in this instance due to the resultant impact on neighbouring amenity.

DESIGN AND VISUAL AMENITY

The application site comprises an end of terrace dwelling located at 11 Fleet Close, Littlehampton.

The proposal is for a two storey extension to the rear (east) of the property and a single storey extension to the north side of the original dwelling.

The single storey extension would measure approximately 4.3m in width and 1.2m in depth. It would incorporate a lean-to roof finished with plain tiles to match the existing property, achieving a maximum height of approximately 3.5m and an eaves height of 2.5m. The extension would include a new entrance door flanked by two horizontal windows of a form and appearance reflective of the host dwelling. Owing to its modest scale, the structure would be partially visible from the street, but its lean-to design would replicate existing open porch forms within Fleet Close. The proposed external materials would match those of the existing property, incorporating similar brickwork and roof tiles, ensuring visual integration with the host dwelling in accordance with the Arun Design Guide (ADG).

The two storey rear extension would measure approximately 4m in width and 4m in depth, with a maximum height of 6.4m and an eaves height of 5.1m. It would feature a pitched roof set down from the ridge line of the host property by approximately 1.3m. Materials would match the existing dwelling, comprising facing brick and mortar at ground floor level and smooth render with black Tudor-style boarding at first floor level. Fenestration alterations include new windows at both ground and first floor levels of the original dwelling. The rear extension itself would incorporate a large three-pane first floor bedroom window and ground floor patio doors providing access to the private rear garden.

The rear extension would not be visible from the primary street scene, however, it would be clearly visible from the shared rear parking court and the public footpath running along the eastern boundary.

Due to its scale and bulk, the two storey rear extension would result in some harm to the visual amenity of the host dwelling. It would not appear subservient and would constitute a substantial addition, which, despite the proposed materials, would not visually integrate with the existing dwelling. Fleet Close is characterised by an open, uniform streetscape, and two storey rear extensions are not a prevailing feature. As such, the proposal would appear visually dominant and out of keeping with the established character of the area, contrary to Arun Local Plan (ALP) policy D DM4. Nevertheless, while harmful, the visual effects in isolation would not be sufficient to warrant refusal of the application in this regard.

Overall, the rear extension would be disproportionately large and would result in some harm to the character and appearance of the host dwelling, the street scene and the wider area, contrary to Arun Local Plan policy D DM4. However, on balance, these impacts would not result in demonstrable harm so as to justify the refusal of planning permission in this regard, due to the variation within the wider locality. As such, the proposed development would not result in an unacceptable impact to visual amenity and is acceptable in this regard.

RESIDENTIAL AMENITY

The proposed single storey extension to the north would be set in approximately 10.6m to the nearest neighbouring dwelling. This separation distance would be sufficient to ensure that the development would not result in unacceptable levels of overshadowing or overbearing impact on neighbouring occupiers.

The new fenestration proposed within the northern elevation would not give rise to any harmful loss of privacy. The windows would face towards the front private amenity areas of neighbouring dwellings, and the distance between the properties is adequate to mitigate any potential overlooking concerns.

The two storey rear extension would be sited immediately adjacent to the southern boundary, leaving a separation distance of 0.1m to the adjoining neighbouring dwelling at 12 Fleet Close to the south. Due to its height, depth, and proximity to the shared boundary, the extension would constitute an unneighbourly form of development which would result in overshadowing and overbearing impacts on the occupiers of the neighbour to the south, 12 Fleet Close.

The proposed extension would have an eaves height of 5.1m directly alongside the boundary. With a depth of 4m and its close relationship to the neighbouring plot to the south, the extension would result in overshadowing and overbearing impacts on the rear garden area and rear elevation of the neighbouring dwelling to the south, 12 Fleet Close. The resultant impacts of the extension would be contrary to Part M of the ADG, which states that householder extensions should safeguard neighbouring amenity with regard to overshadowing and overbearing, and advises that for terraced dwellings, single storey rear extensions should not normally exceed 3m in depth, and two storey rear extensions are generally unacceptable unless clearly justified.

Assessment against the 45-degree splay line taken from the centre of the neighbouring rear window, as outlined within the ADG, demonstrates that the proposal would intrude a 45 degree splay line from both ground and first floor fenestration. This is further indicative that the proposed two storey rear extension would result in a material loss of daylight to habitable rooms at 12 Fleet Close and give rise to significantly adverse overbearing and overshadowing impacts.

The proposed rear facing openings within the extension would primarily overlook the rear garden and the shared parking area. These openings would not result in harmful overlooking of neighbouring dwellings, particularly when compared with the existing arrangement, where a first floor rear window already provides a similar level of overlooking.

The proposed development would result in a remaining rear garden depth of approximately 4.8m, which is substantially below the recommended 10.5m set out within the ADG. While the existing rear garden depth falls short of this guidance, the further reduction would intensify the constraints of the site and compound the impacts of the proposed extension on the quality of amenity space available to future occupiers.

In summary, by virtue of its height, bulk, depth and proximity to the southern boundary, the proposed two storey rear extension would constitute an unneighbourly form of development that would result in significant harm to the residential amenity of the neighbouring occupiers at 12 Fleet Close by way of overshadowing and overbearing impacts. The proposed two storey rear extension is therefore contrary to Arun Local Plan policies D DM1 and D DM4 and the guidance contained within the ADG.

PARKING

The application site is located within Parking Zone 2 and as per the Arun Parking Standards (APS), both 2 and 3 bedroom dwellings are required to provide 2 parking spaces. As such, the development would not give rise to any additional parking demand, and the existing parking arrangements remain compliant

with the APS.

SUMMARY

The proposed development, by virtue of the height, bulk and depth of the two storey rear extension, and its proximity to the southern side boundary, would represent an unneighbourly form of development which would result in significant harm to the neighbouring residential amenity of 12 Fleet Close by way of overshadowing and overbearing impacts. The proposed development is therefore contrary to Arun Local Plan policies D DM1 and D DM4.

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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

REFUSE

- 1 The proposed two storey rear extension, by virtue of its height, depth and bulk and its proximity to the southern side boundary, would constitute an unneighbourly form of development that would result in significant harm to the residential amenity of the neighbouring occupiers at 12 Fleet Close by way of overshadowing and overbearing impacts. The proposed two storey rear extension is therefore contrary to Arun Local Plan policies D DM1 and D DM4.
- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 provide pre-application advice in respect of any future application for a revised development.

The development shown on the following plans is hereby refused:

- Location Plan (Existing Floor Plans and Elevations) P01
- Proposed Floor Plans and Elevations, Block Plan P02B