

Recommendation Report for Planning Permission

REF NO: LU/5/22/PL

LOCATION: 37 Griffin Crescent
Littlehampton
BN17 7LH

PROPOSAL: Conversion of a single dwelling into two flats and rear two storey extension and rear dormer. This application is in CIL Zone 2 and is CIL Liable as flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for the conversion of a dwelling into two flats and rear two storey extension and rear dormer. The ground floor will be converted to a 2 bed flat with a gross internal area of 67sqm, a side entrance, 2no single aspect bedrooms with front windows, open plan lounge/kitchen and dining area with rear windows, a bathroom and a hall to create access to the first floor. The first/attic floor will be converted to a 4 bed flat with a gross internal area of 70sqm, 2no single aspect bedrooms with front windows, open plan lounge/kitchen and dining area with rear windows and bathroom. . The proposal incorporates a rear garden for each of the flats, bin store and a garage for 3 car parking spaces to the rear with rear access to the property.
SITE CHARACTERISTICS	The site comprises a terrace dwelling of 2 storeys with gardens to front and rear. The site is flat and there are no trees affected by the proposal.
CHARACTER OF LOCALITY	The area is part of a residential street comprising a uniform character with terraced and semi detached properties of 2 storeys set in small to medium plots set back from the highway with gardens to front and rear within urban environment.

RELEVANT SITE HISTORY

PAA/85/21/	Conversion of house into three flats, with rear full height extension and front dormer.	Refuse Pre App 28-09-21
LU/233/11/	Removal of existing garages. Proposed Single Dwelling.	Refused 11-10-11 REPORT_1011(ODB)

LU/197/11/	3No. garages to the rear of property
LU/143/11/	3 No new garages to the rear of property
LU/108/11/	Erect one garage block comprising of 3 single units and new dropped kerb for access for the use of flats A & B.

REPRESENTATIONS

Littlehampton Parish Council - Object on the following grounds;

- overdevelopment;
- out of character in terms of its appearance compared with development in the vicinity; and
- the accommodation on the ground floor did not meet the space standards.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and will be considered further in the conclusion to this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENGINEERS (SURFACE WATER DRAINAGE)

Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

PRIVATE SECTOR HOUSING

Adequate concerns should be given to fire safety, room sizes, licensing, windows and ventilation and general.

WSCC (Highway Authority - LHA)

Does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (para. 111), and there are no transport grounds to resist the proposal.

ENVIRONMENTAL HEALTH

No adverse comments about the scheme subject to a construction hours condition be attached.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

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
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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

POLICY COMMENTARY

"The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies in the Littlehampton Neighbourhood Plan have been taken into account in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal does not comply with relevant Development Plan policies in that it would have a materially adverse effect on the residential amenities of the adjoining properties and of prospective occupiers.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application seeks permission for conversion of an existing dwelling in a residential area to create more residential floor space. The key policies are D DM1 and D DM4 of the Arun Local 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 Town NP is relevant where proposals are acceptable subject to compliance with other Development Plan policy.

Further guidance from the Arun Design Guide is relevant. J.01 of the Arun Design Guide outlines that built form and character varies considerably throughout the Arun District as a whole and in the settlement character areas identified in Section C.05 of the Design Guide. Section J.02 (scale and mass) ensures that the scale and massing of development responds to the existing townscape and landscape. The appropriate scale for new buildings or extensions/alterations to existing forms should be determined by their context, their location within the order of streets, and their function and positioning, and should avoid overshadowing of neighbouring properties.

Paragraph 11 d) ii applies in this case as policy SD SP2 of the Arun Local Plan which determines the extent of the different settlements built up area boundaries and where development should be focused, is out of date due to the fact that the Council is unable to demonstrate a 5 year supply of housing (currently 2.42).

DESIGN AND VISUAL AMENITY

The proposal will increase the original internal floor area (121sqm) of the dwelling to about 196.7sqm which will be 75.7% increase. The utilitarian box, flat roof design and significant scale of the rear two storey extension will be overdevelopment and out of character with the host property and appearance of the local area. Surrounding properties are similar in design and style. The area seems to be largely made up of single dwellinghouses. However, the conversion of this property is not expected to tilt the balance to such an extent that it will have a negative impact on the character of the area.

The rear dormer replaces an existing rear dormer. However, its significant size and flat box shaped design conflict with Arun Design Guidance (Section M). The siting of the garage to the rear of the property will not affect the Griffin Road street scene.

The proposed single storey garages located to the rear of the site by virtue of its siting and scale will not have an unacceptable impact on the character and appearance of the street scene.

The two storey rear extension by virtue of its scale and siting will not appear well integrated with the host property and be out of keeping with the design, character and appearance of neighbouring properties in conflict with policies D DM1, D DM4 of the Arun Local Plan and the Arun Design Guide.

RESIDENTIAL AMENITY

The Arun Design Guide in section M states that development should respond to the distinctiveness of

their host dwelling and surroundings in terms of scale, massing, materials, and protect the amenities of occupants and neighbours. Section M also illustrates the '60- and 45-degree rules'. These rules refer to the 60- and 45-degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight. The 45-degree rule specifically considers single storey rear extensions.

The proposed garage by virtue of its limited height and lack of any side openings will not have a negligible impact on neighbouring residential amenity.

The two storey rear extension will significantly project back from the rear elevation and breach the 45 degree line from neighbours' habitable windows. This together with the close proximity to neighbouring boundaries will result in loss of natural daylighting and overbearing effect to neighbouring occupiers.

The proposed rear dormer's design and positioning will not result in significant harm to neighbours' amenity as the views will be towards the host garden. Therefore it will not adversely impact on daylight and will not be overbearing. There has been no objections from neighbours. There will be bin store and rear amenity space for each flat.

As a result of the scale, mass and bulk of the two storey rear extension and its distance from neighbouring properties, the extension results in significant adverse harm to the residential amenities of neighbouring occupiers to justify a refusal in this instance. The proposal is not in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

INTERNAL/EXTERNAL SPACE STANDARD

The conversion of the internal layout will provide flat sizes ranging from 78.6sqm to 118.1sqm internal floor area. Room sizes will range from 9.5sqm to 12sqm. The flats will meet the requirement of the Nationally Described Space Standards.

A rear garden area (approximately 5m in length) for each of the flats is proposed. This is sufficient space given there are no standards for flats other than balconies affording outdoor space.

The development provides a satisfactory living space in the regard which be in accordance with Policy D DM2 of the Arun Local Plan and para. 17 of the NPPF.

TRAFFIC AND PARKING

Arun Local Plan's Policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking.

Para. 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para. 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

With regard to highways, transport and parking, the following policies and guidance are relevant: paras 102, 106, 108 and 109 of the NPPF, ALP policies T SP1 and T DM1, and the ADC Parking SPD (2020).

Arun Parking Standards SPD expect a level of car parking provision to be approximately 2 spaces in this

location. In addition, Arun has recently adopted its own parking standards which require 2 spaces for each 3 bed unit, plus 20% for visitors car parking spaces. The 3 car parking spaces The cycle parking requirement would be 1 per dwelling, therefore requiring 2 spaces. The proposal incorporates a garage for 3 car parking spaces, no electric vehicle charging point and there is ample space to provide for cycle parking spaces.

Electric Vehicle provision is expected in Arun's Parking standards guidance.

WSCC Highway Authority commented that it raises no highway safety concerns for this application..

The site is sustainably located, there are alternative modes of transport available to future occupiers. The proposal does not generate significant traffic and parking demand to exacerbate the existing parking condition. The proposal will accord with Policies T SP1 of the Arun Local Plan and the ADC Parking SPD (2020) .

SUMMARY

The proposed development will be in conflict with relevant development plan policies Policies D DM1, D DM4 and D SP1 of the Arun Local Plan and the Arun Design Guide for the above reasons and as such is recommended for refusal for the following reasons.

It is recognised that the development would provide an addition single dwelling in a sustainable location, However the very small benefits of the additional dwelling would not outweigh the harm caused and refusal is justified.

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 scale, bulk and mass of the rear two storey extension will bring significant harm to the appearance of the host property and result in a design that is significantly out of keeping with the existing character and appearance of the neighbouring area in conflict with Policies D DM1, D DM4 and D SP1 of the Arun Local Plan and the Arun Design Guide.
- 2 The scale and rear projection of the two storey rear extension and its close proximity to neighbouring properties will result in significant adverse harm to the residential amenities of neighbouring occupiers by way of loss of daylight and over bearing impact in conflict with Policies D DM1, D DM4 and D SP1 of the Arun Local Plan and the Arun Design Guide.
- 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 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.