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

REF NO: LU/78/22/HH

LOCATION: 101 Clun Road
Wick
Littlehampton
BN17 7EG

PROPOSAL: Erection of part single, part two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — This application seeks a two storey side extension to the southern elevation of the property.

RELEVANT SITE HISTORY

LU/82/14/HH	Side Garage - This application may be determined by Littlehampton Town Council under delegated powers.	ApproveConditionally 01-07-14

REPRESENTATIONS

Town Council - Objection.

Overdevelopment. Not an extension - clearly creating a separate new development which should attract CIL.

CONSULTATION RESPONSES RECEIVED:

This application has been submitted as a householder application and shall be dealt with as such. No new dwelling can be permitted under this application type.

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
SPD11	Arun Parking Standards 2020

CONCLUSIONS

PRINCIPLE

In this case, the key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and 2 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 (LNDP) states that permission should be granted where applications accord with the relevant polices 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), this application is within the BUAB.

Arun recently adopted a Design Guide which provides guidance that will help raise design standards. 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. Side extensions should be subservient to the host dwelling and respect the space between buildings.

DESIGN AND VISUAL AMENITY

Due to its siting, the side extension will be visible in the street scene and will have a visual impact on its character. The two-storey side extension appears subservient to the dwelling, due to its scale and as it is set back from the front elevation by 550mm, with a lower ridge line. It appears well integrated with the host dwelling, in that the materials are sympathetic to the host dwelling and the wider area it is in, and as details like a continuing eaves line are a consistent feature.

The addition will extend south finishing 300mm away from the boundary. This blocks pedestrian access to/from the rear garden without the need to go via the house, which design guidance recommends against. Policy D DM4 also recommends that side extensions do not close important gaps at first floor level where they may create a terracing effect on the dwellings. By closing an important gap between the two buildings will have a negative impact on the character of the area by producing a terracing effect of the group of properties, as such conflicts with Policy D DM4(d)

The development conflicts with Policy D DM4(d)of the Arun Local Plan in that it will appear out of character, by closing important gaps between buildings and therefore compromise the character of the area.

RESIDENTIAL AMENITY
The two-storey extension will be built 300mm away from the shared boundary with No 99 Clun Road. Design guidance states that for side extensions not to be overbearing or overshadow they should be built to not encroach on a 70-degree line rising from ground level at the boundary. The extension would foul this line and as such does not accord with guidance. Given the orientation of the dwellings, the proposal will not result in overshadowing of the property to the south, however the development will result in harmful impact from overbearing to the property to the south.

No side windows are proposed, the fenestration will face front and back and only achieve views which were already obtainable by the host dwelling. The proposal will not result in a loss of privacy to local occupiers in that the views provided by the new openings are no different to those existing from the host dwelling.

The development is in conflict with D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide in that being built within close proximity to the shared boundary the extension will have a negative impact by means of being overbearing.

PARKING
The house is afforded two (in line) parking spaces, which as it is located in parking Zone 2 is the correct number of spaces when compared to the number of existing bedrooms. With an additional bedroom the parking requirement increases by 1. The additional requirement of 1 space, not provided as part of this scheme, is not seen to cause harm to he amenity of neighbouring residents as off-street parking is unrestricted and the area has good transport links to the town centre, as such it accords with policy T SP1 of the Arun Local Plan and the Parking SPG document.

SUMMARY
The proposal does not comply with policy as it provides accommodation which is overbearing on neighbouring properties, as such it will be refused on the following basis.

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.

RECOMMENDATION

REFUSE

1 Having regard to the limited area of the site and its relationship to existing residential properties the proposal would give rise to an unneighbourly form of development by means of overbearing, which would be prejudicial to the amenities of neighbouring occupiers in conflict with policy D DM4 (c) of the Arun District Local Plan and the Arun Design Guide.

2 The two-storey side extension would close an important gap between buildings at first floor level and would negatively impact the character of the area by creating a terracing effect, the proposal conflicts with policy D DM4(d) 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.